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Grenfell Tower Inquiry

Day 88

February 10, 2021

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Wednesday, 10 February }202
(10.00 am)
SIR MARTIN MOORE-BICK: Good morning, everyone. Welcome to
    today's hearing. I'm here as usual with my fellow panel
    members, Ms Thouria Istephan and Mr Ali Akbor.
MS ISTEPHAN: Good morning.
MR AKBOR: Good morning, everyone.
SIR MARTIN MOORE-BICK: Before we go back to the witness,
    can I please just remind those of you who are not taking
    an active part in the hearing to keep your cameras and
    microphones switched off at all times to avoid
    difficulties with the technology. Thank you very much.
            Now, today we're going to continue hearing evidence
        from Ms Deborah French, so we are now going over to see
        her.
            MS DEBORAH FRENCH (continued)
SIR MARTIN MOORE-BICK: Ms French, are you there?
THE WITNESS: Yes, I am, thank you, sir.
SIR MARTIN MOORE-BICK: Good morning. Can you see me and
    can you hear me?
THE WITNESS: Yes, I can, thank you.
SIR MARTIN MOORE-BICK: Good, thank you very much.
            Now, I don't really need to remind you of everything
    I said yesterday, but I think it would be a good thing
    if you could just confirm, as you did yesterday, that
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    you're alone in the room from which you're giving
    evidence.
THE WITNESS: Yes, I am, sir.
SIR MARTIN MOORE-BICK: Thank you. That you have no
    documents or other materials with you?
THE WITNESS: No, none.
SIR MARTIN MOORE-BICK: And that your mobile phone is in
    another room, and you don't have any other electronic
    device which is capable of receiving messages?
THE WITNESS: No, nothing, sir.
SIR MARTIN MOORE-BICK: Very good, thank you very much
    indeed.
        Well, as yesterday, your legal representatives are
        here, as it were, in on the hearing, so that if they
        feel it's necessary to intervene, they can do so.
            I hope we'll avoid the sort of problem we had
        yesterday with the transcript, I'm confident that we
        shall, and, as yesterday, we will have a break during
        the morning and the afternoon, about halfway through.
            Is there anything you would like to raise before we
        continue with your evidence?
THE WITNESS: No, nothing, thank you.
SIR MARTIN MOORE-BICK: All right. Well, in that case, I'll
    invite Mr Millett to continue his questioning.
        Yes, Mr Millett.
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Questions from COUNSEL TO THE INQUIRY (continued)
MR MILLETT: Mr Chairman, thank you very much.
Good morning, Mr Chairman. Good morning, members of the panel. Good morning, Ms French.

I want to ask you now, please, about your presentations that you would give from time to time that you refer to in your second witness statement.

If we can go to your second witness statement,
please, at page 5 \{MET00053162/5\}, you say at paragraph 21, if we can just have that expanded a little bit, please, that you gave a presentation or prepared a presentation for the RIBA as part of a continuing professional development programme, and you refer to that in the first two or three sentences of that paragraph.

My question is a general one rather than focusing specifically on that presentation: did you give presentations to other organisations involving architects or designers?
A. I certainly did with RIBA. I did on occasions do it with main contractors, if I was invited by fabricators, for example. But as a general rule it was one-to-one with an architect, rather than, you know, a -- we did CPD with architects practices, which would be over a lunchtime period, so on and off.

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Q. Were you invited to give those presentations, or was it part of a promotion by Arconic?
A. If it was with RIBA or architectural CPD deliveries, it was generally something that we were trying to promote or we were invited by architects to attend. If it was with other clients, it was generally them requesting us to do it.
Q. Were you accredited to give CPD presentations to architects?
A. We had one presentation that was RIBA accredited to deliver to architects, in a formal CPD environment.
Q. You say you don't believe you actually ever gave the particular RIBA presentation that you refer to; is that correct?
A. Yes, I don't think it was -- we'd had it approved by the -- by RIBA, but it was never actually delivered.
Q. But in order to give that kind of presentation and to put it together, you must have had some kind of technical knowledge about cladding; is that fair?
A. The information that was put together in that presentation, a lot of that was taken from the information already within Arconic, and any other -from brochures and various things like that. Then there was a set text that would have gone with it.
Q. Yes, but in order to give the presentation, am I right
in thinking that you would have had to have had at least some familiarity, working familiarity, with the documents that formed the presentation?
A. Yeah, I would have had enough knowledge to have been able to answer some questions, but in terms of the more technical details with relation to, you know, wind loads or build-ups, then I would have taken questions and sent that back over to Merxheim afterwards.
Q. So you would have had some technical knowledge, at least enough to enable you to field questions from the floor at the end of the presentation?
A. On some subjects, not on all, no.
Q. What about on fire safety?
A. No, I would never have gone into discussions on fire with anybody. As I've said before, I didn't have the knowledge or the experience to do that on fire.
Q. Were you accompanied by anybody from the technical sales team when giving these presentations?
A. No.
Q. So what would happen if somebody asked a question at the end of the presentation about fire safety, such as: what are the tests that underlie the claim that PE standard has class 0 or should be regarded as class 0 ?
A. I would have arranged to have the necessary documents sent to them or I would have referred it to our

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technical team in Merxheim, I would not have answered that myself.
Q. Why were you being sent into the field to give these presentations if you weren't able to answer a question such as that?
A. Because I was the UK contact over there, and as I said, I've had limited technical experience to be able to answer certain points. I would gather the information and I would get it -- I would get back to them afterwards.
Q. Doing the best you can with your recollection, do you recall any particular kinds of questions that you were repeatedly asked at the end of these kinds of presentations?
A. It was unusual to get an awful lot of questions at the end of CPD -- formal CPDs. They tended to -- the audience that you were delivering it to tended to come in, they listened and then they would basically disperse and go off.

So I don't recall having masses of questions at the end. There might have been one or two about projects or colours, mostly, or samples that they wanted because they were looking at specific projects. But very, very, very rare would we get a lot of technical questions.
Q. Do you remember ever being asked a question about fire
classification ?
A. I can't recall being asked that specific question.
Q. Let's talk about a presentation that you think you did give. If we can go to paragraph 96 of this statement on page 31 \{MET00053162/31\}, please. You can see that this paragraph is under the heading "Genius Facades/Simco", and you describe in it not only your relationship with Genius Facades, connected to a business called Simco, but also a presentation you gave. If you look about a third of the way down that paragraph, you say there that you gave a presentation. You say:
"I gave a presentation to Simco on this project in around May 2011 ..."

That project, as you describe earlier in the paragraph, was Pendleton, which was a large project in Manchester or Salford involving three buildings.

Is it right that Genius Facades was a customer of yours?
A. Yes, they were.
Q. And you say, as I've just shown you, that they are connected or were connected to a business called Simco External Framing Solutions, or Simco, if you like. Is that right, they were?
A. Yes.
Q. Right.

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## Q. Is it right that they were partners in Simco?

A. I believe so, yes.
Q. Is it right that John Simmons and Graham Smith also own and run, or owned and ran, Genius Facades together? Does that sound right to you?
A. Certainly John Simmons ran Genius Facades, but I'm not entirely sure of the connection of Graham with Genius.
Q. Very good. Well, let me just read into the record one reference: it's John Simmons' first witness statement at \{MET00040808/1\}.

Let's look at the presentation about the Pendletons project. This is in your exhibit DF5, page 10, \{MET00053173/10\}, please.

We can see on the front that, if we have that expanded a little bit, please, it's Reynobond/Reynolux, "Aluminium - Reynobond"; do you see that?
A. Yes.
Q. Underneath that, it says:
"Reynobond working with SIMCO -- Pendleton's Project Manchester."

So is this an example, before we go into the

## A. It was on this particular project, yes.

Q. And would that be quite a common occurrence, that you would work together with a cladding subcontractor such as Simco?
A. In terms of pulling together a presentation of this detail, this was the only one that we did it with on -in this nature.
Q. You can see that, before we leave that page, I should have pointed out to you, this is May 2011.

If we go to page 14 \{MET00053173/14\}, this says:
"Reynobond 55 SPECIFICATION Details for Pendleton's Manchester (SIMCO)."

If we just go back to your second statement at paragraph 96 again, please, page 31 \{MET00053162/31\}, you say there that the Pendleton project involved both rivet and cassette in Reynobond 55 PE. You say that about a third of the way down the page in front of you:
"It was an unusual design which I think incorporated both rivet and cassette systems."
A. Yeah.
Q. If we then go back to the presentation, please, at page 15 \{MET00053173/15\}, let's look at the last two bullet points together. It says:
"Reynobond has a BBA Cert (hard copy available with this presentation)."

Then last bullet point:
"Relevant UK \& European Fire Certs."
Does that tell us that, in May 2011, you knew at
least enough about the European fire certificates to know that they were relevant to your UK customers?
A. I'm not sure I would have known that they were completely relevant, in what context they were relevant. I was taking -- I was pulling information out of other marketing information and brochures to pull that document together for a customer.
Q. What was relevant about the European fire certificates on this project?
A. As I say, I would have been just taking information from other parts of the documentation that was available within other marketing information and putting that on that document.
Q. Why would you do that unless you thought that the European fire certificates were relevant to this UK customer and this UK project?
A. Because that text would have been available somewhere in another document and I would have just used it in that format.
Q. What, unthinkingly, just cut and pasted it from another
A. Yes.
Q. Which document, do you know?
A. No, I don't recall.
Q. Did you not think that it was important as part of the
sale that the customer, either Simco or the end
customer, could be provided with the European fire
certificates if they'd asked?
A. If they'd have asked, we would have provided it for them, but I wouldn't have known whether it was relevant or not.
Q. When you were cutting and pasting this last bullet point from some other document into this one, did you not apply your mind to the question of whether or not European fire certificates were relevant?
A. No, not -- I don't recall doing that, no.
Q. Right. So this was just as a knee-jerk cut and paste without thinking about it?
A. No, it was putting together some information to present to a client, and, as I say, if they'd have wanted information further, then we would have provided it for them.
Q. I feel bound to suggest to you, Ms French, that you would not in fact have referred to the relevant UK and European fire certificates -- you wouldn't have felt it

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necessary to mention the European fire certificates unless you knew that they were relevant to your customer here.
A. As I say, I would have taken that information from another document, and if customers had asked for information, then I would have made sure that they had the relevant documents.
Q. Can we just go back to your second witness statement, please, at page 13 \{MET00053162/13\}. Let's look together at paragraph 47, please. You say there:
"I did not spend much if any time considering the European fire testing regime and what the various ratings meant, neither did I think them relevant to the UK market."

If the European fire testing regime was, as you thought, not relevant to the UK market, is your explanation for why your presentation referred to them that you simply didn't think about it?
A. As I've said, I would have taken that text from another document and I would have put it on to that presentation, without necessarily, you know, thinking what I was putting on there.
Q. Was it your habit to make build-up presentations for customers for substantial projects like Pendletons without really applying your mind to whether what you
were putting into your presentations was relevant?
A. I would have been putting together information that I thought was relevant and correct at the time, and it would have been for other people to ask me questions as to whether there was other information they needed and I would have provided that for them.
Q. You see, what I'm really suggesting to you, being blunt about it, is that you knew very well that European fire certifications were relevant to the UK market because that's why you put it in your presentation.
A. No, I don't recall thinking along those details. As I say, technically I wouldn't have been thinking along those lines. If people had wanted information, I would have provided it for them.
Q. We see that you also referred in this presentation to the BBA certificate available. What did you think was the purpose of the BBA certificate, which we looked at yesterday, referring to the Euroclass $B$ test pass for standard PE, if it was irrelevant to the UK market?
A. As I explained yesterday, I didn't understand -didn't -- my knowledge of the detail in that BBA was something that other people would have been asking questions about, and I really wouldn't have given it, you know, too much thought at the time as to whether it was or wasn't relevant.

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Q. Does it come to this: you didn't know the details of the classification regime applicable in Europe, the Euro system, but you did know that it was relevant to your UK customers, but if they asked questions about it, that was a matter for them?
A. In terms of the BBA, if there was -- like I said, I've said before, I wasn't technically trained, I've had no technical training. I was there to provide information, and if customers had had questions, they would have asked me and I would have made sure I got them the appropriate information and documents. I was not qualified to understand the details that were set out in those.
Q. You may not have been qualified to understand the details, but I am suggesting to you that you knew enough to know that the Euro classification regime for fire safety was relevant to your UK market?
A. No, I wouldn't have done.
Q. If you didn't know it was relevant or didn't think it was relevant to the UK market, why did you think it was referred to in the BBA certificate at all?
A. I don't know. It's not something that I picked up or would have even questioned at the time.
Q. You didn't pick up; does that mean you didn't notice its presence in the BBA certificate?
A. I don't recall what -- I don't recall what I remember in looking at that document at the time.
Q. Can we look at your witness evidence about how this slide deck was created. This is back to page 31 \{MET00053162/31\}, paragraph 96 again.

You say here, about halfway down the page that you have open on the screen:
"I gave a presentation to Simco on this project in around May 2011 which included reference to both the BBA certificate and to the product having both UK and European fire certificates. Two copies of this presentation are included in DF/5 and I think that the contents of these presentations was based on a standard [Arconic] presentation and that specific input was obtained from Claude Wehrle, in relation to the 30 year warranty, and Yves Biehlmann on other points. Peter Froehlich was aware of the presentation."

Now, you say this was taken, as you have told us this morning as well, from another presentation. Do you remember whether the claims about the European certification in the original presentation which you lifted this from were there, or were they added following input from somebody at Arconic?
A. I really don't recall the exact detail of where that information came from in relation to the question you've

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just asked
Q. You say that Claude Wehrle had input and Peter Froehlich was aware of the presentation, as I've just shown you. Did either of those individuals write any part of this presentation?
A. I had information from them in relation to certain aspects of that presentation, and I would have taken information and put that whole presentation together myself. They were both aware of it.
Q. What aspects of the presentation did Yves Biehlmann provide?
A. The -- there was some information on the paint that was being offered in relation to the 30-year warranty. It's unusual to offer a warranty of that period, and Yves Biehlmann pulled together some information on the gloss levels and the way the gloss would behave over a - - over that 30 -year period.
Q. Did any of those three individuals suggest to you that you should refer to the European fire classification regime in it?
A. I don't recall.
Q. Did any of those individuals look over the slides in the final presentation that you gave?
A. I -- some of the information that was in that presentation, some of the images and some of the wording
would have come from them, and then I will have - - would
have pulled it into that overall presentation.
Q. As a general question, we looked at diagram 40 yesterday, but just to be very clear, are you telling the Inquiry that at this stage, at least 2011, you did not know that Approved Document B, forming guidance as part of the Building Regulations, referred to national and European fire classification standards?
A. No, I wouldn't have known that.
Q. You say you wouldn't have known that; did you know that?
A. No, I don't recall I did.
Q. I'd like to look at your knowledge of fires involving cladding, starting in 2009, if I can.

Can we start with your second witness statement, please, so this is the same statement we're in, at page 34 \{MET00053162/34\}, at paragraph 100. You give a list here of previous fires that you do recall. You say in the third line:
"Save for the fires in the UAE referred to above, I am not aware of any other fire involving ACM.
I vaguely recall a fire in or near Paris but I cannot remember any details including whether it involved ACM."

Then you go to say that you don't remember anything about the Melbourne fire.

Now, in 2009 there were two cladding fires I want to
ask you about. The first is one in Bucharest at the Millennium Business Centre in July 2009. Were you aware of that fire?
A. No, I wasn't.
Q. I take it that nobody at Arconic discussed this fire with you or told you about it, alerted you to it ; is that right?
A. I've never heard of -- never heard it.
Q. Was there any discussion in 2009, do you remember, about a PE-cored cladding fire?
A. Not that I recall, no.
Q. Was there any particular discussion about the safety of PE-cored ACM in architectural application in 2009 that you recall within Arconic?
A. Not that I recall, no.
Q. Did Mr Wehrle ever tell you, in the context of a cladding fire, that PE core can be dangerous when it comes to architecture?
A. I don't recall.
Q. Do you remember that there was another fire in July 2009, which had fatal consequences, in south London in a building called Lakanal House?
A. No, I don't recall .
Q. You don't recall?
A. No.
Q. You weren't aware in 2009 or the years following 2009 of the Lakanal House fire; is that right?
A. No, I've not heard of Lakan(sic) House.
Q. Even today you've not heard of it?
A. No, it doesn't -- no.
Q. Right.

Moving forward then in time to 2011, by 2011 you had
been at Arconic for around four years or so; is that right?
A. Yes.
Q. Let's look at some documents in 2011. I'm going to show you some documents that show that there were further European classification tests done on Reynobond PE in that year at the CSTB in France.

The first one I'm going to show you is a test in February 2011 of Reynobond PE in rivet-fix, and this is at $\{A R C 00000383\}$. This is a reaction to fire classification report, RA11-0032, done under EN 13501-1, which is the European regime. You can see on the page in front of you there that it was a test done on Reynobond 55 PE riveted system -- so PE, rivet -- with a date of issue of this report of 9 February 2011.

If we go on in this document to page 4 \{ARC00000383/4\}, we can see the classification. It obtains a $B-s 1, d 0$; do you see that?

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## A. Yes.

Q. There was also a test done in June 2011 - - sorry, I should ask you, first of all : were you aware of this test?
A. Not - I wouldn't have necessarily been specifically aware. I don't recall being totally aware of it.
Q. Did anybody at Arconic tell you that Reynobond PE in a rivet - fix had been tested in 2011 and had obtained a $B-s 1, d 0$ ?
A. I don't recall.
Q. There was also a test - - and I'll just tell you what happened - - in 2011, in June of that year, on
Reynobond PE in cassette-fix, in which large pieces fell from the panel, there was widespread fire on the surface, and the heat performance was so poor that the test had to be stopped, as a result of which there was no classification other than $F$.

Do you remember that?
A. No, I don't remember.
Q. I'm going to give a reference, but I'm not going to take you to the document: it's \{MET00053158/172\}.

Do you remember that, in October 2011, Arconic had another test performed on Reynobond PE in cassette-fix which achieved a class E?
A. No, I don't recall.

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"People present: Frank RITTER (3A)
"People of AAP - Merxheim present:
"Peter FROEHLICH ... Claude WEHRLE ..." Do you see that?
A. Yes.
Q. If you scroll down to the table on the first page, you can see some products. You will see a table.

Just to be clear, Frank Ritter of 3A was the manufacturer of Alucobond; is that right?
A. I don't know.
Q. At least 3A was the manufacturer, if not Mr Ritter himself.

In the table you can see that there is the product, the system and the European class standard set out there, and you can see that what is said above that table is:
"European fire regulation.
"Remind.
"The European fire reaction classification norm EN 13501 is testing the product in his installation conditions.
"After the tests we did, the classifications for Reynobond in cassettes and riveted/screwed system are ..."

Then they're set out:
"Reynobond 55 PE: Riveted/screwed: B-s1, d0.
"Reynobond 55 PE: Cassettes: E."
And then the FR results are set out below that, in each case $B-s 1$, $d 0$.

Did you know that Arconic was presenting its cassette variant of RB 55 PE as class E to Alucobond/3A in July 2011? Did you know that as a fact?
A. No, I didn't.
Q. Can you explain how you did not know that fact?
A. No, I can't.
Q. Is that a fact that you would have expected to be told?
A. If they'd have seen it necessary and it was relevant to my role, then yes. But no, I don't recall it .
Q. Given that it is radically different from what the BBA certificate states about the test results for Reynobond 55 PE as standard, I suggest to you that you would have wanted to know that, so far from being a $B$ in cassette, it was E. That must be right, mustn't it?
A. Yes, if they'd have seen it, and if it was relevant to the role I was doing, then I would have expected to be told about it.
Q. Can we look down to the bottom of that same page, then, please. Under "Next steps", below the table, it says:
"For the moment, even if we know that PE material in cassette has a bad behaviour exposed to fire, we can

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still work with national regulations who are not as restrictive.
"Some countries (Spain...) are already working with EN 13501 standards and the PE in cassettes is no more usable there.
"The evolution of fire regulation will put the PE out of the market in the coming month[s]."

Et cetera.
My question is: did you realise yourself that Arconic considered that PE cassette had bad behaviour in fire?
A. No, not -- no, I didn't.
Q. Were you aware, notwithstanding what we can see in this document, that Arconic intended to continue to sell Reynobond PE to countries that are not working solely with the European classification system?
A. I wouldn't have had that knowledge to -- or thought about whether it -- that it was relevant or not. It's not something that I was involved in day to day. That would have been for the technical team and other senior management people at Merxheim to be making those decisions, not me.
Q. The countries that were not working solely with the European classification system included the UK, didn't they?

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A. I really don't know.
Q. You didn't know that at the time? You didn't know that
    there was a dual system operating here?
A. No, I wouldn't have had any reason to know. That would
    have been dealt with by other people, the technical
    people, and the -- and other people within Merxheim.
    That's not something I would have been involved in.
Q. Right. Did nobody ever communicate the strategy to you
    that Arconic was going to continue to sell PE cassette,
    notwithstanding its bad behaviour in fire, in the UK
    market precisely because it had a dual system here?
A. Not that I recall, no.
Q. We move to 2012, then, in the chronology, and I want to
    ask you about more cladding fires in that year.
    Can we start with your second witness statement,
    please, at page 29 {MET00053162/29}, paragraph 93.1.
    In that paragraph, you say -- and I should just
    preface this, actually, with the heading, "Companies
    involved in the Grenfell Tower refurbishment":
    "With regard to the relevant companies and
    organisations that were involved in the Grenfell Tower
    refurbishment, I would say as follows:
    "93.1. CEP - I had worked with CEP on a number of
    projects in the past, on all of which they had ordered
    Reynobond PE. One notable project was the
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    Chalcots Estate in Camden which was a substantial
    project involving five residential towers. It was
    a significant project for which Reynobond had been used
    in a rivet system. I remember that there had been
    a small fire at one of the towers (Taplow) on the
    Chalcots Estate in }2012\mathrm{ for which replacement sheets of
    Reynobond had been ordered. While I cannot recall the
    fire at Taplow tower specifically, I do remember
    undertaking CEP's original order of Reynobond for the
    Chalcots Tower. The project had originally been
    supplied with Etalbond, a competitor brand of ACM, but
    it was replaced with Reynobond after a number of issues
    with delamination."
I can pause there, I think, and ask you to go to page 34 \{MET00053162/34\}, four pages on, paragraph 100, that we've looked at a moment ago. Just coming back to it, you pick out the UAE fire and a vague recollection of a fire in Paris, but no other fires, you say, apart from the Chalcots fire.
Were you specifically aware of the Chalcots fire because you had been involved in the reordering of the panels? Is that why you knew about that one?
A. Yeah, the fact that we'd had a -- there'd been some emails from CEP requesting some replacement panels because of a small fire.
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Q. You also refer, as I showed you before, to the fire in
    or near Paris. Do you remember when that was?
A. I don't recall that, no
Q. Was it the Mermoz Tower fire in Roubaix in May 2012?
A. As I say, I don't recall the name or any specific
    details, I just know -- remember hearing something about
    there being one.
Q. Right. What was the source of your hearing about there
    being one, do you remember?
A. I really can't remember.
Q. Within Arconic or on the news or some publication?
A. I really can't remember.
Q. Let's go to {MET00053158_P06/171}, please.
            This appears to be part of a sales team meeting in
        mid-2012. If we go to page 189 {MET00053158_P06/189} of
        that document, we can see here a slide entitled:
            "News about certification.
            "Fire issues - 'Incendie Roubaix' - New changes
        coming in the building rules."
            Did you see this slide at the time? As I say, we've
        dated it to about mid-2012 for reasons appearing in
        other parts of the document. But do you remember seeing
        this document at about that time, Ms French?
A. I don't - - I can't remember. I don't recall it .
Q. Is this how or might this be how you learnt about the
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Roubaix fire?
A. I really can't remember. I'm sorry, but I can't recall.
Q. Were you not provided with any information about cladding fires around the world from within Arconic, those people in your reporting line above you?
A. I don't recall anything, no.
Q. Did you ever have any discussions with other salespeople or your manager, Peter Froehlich, about other cladding fires elsewhere in the world?
A. There was -- not specifically in relation to that. There was one in the UAE that I got sent from somebody else, that I sent over to our technical team for some comments on. I don't recall any other information being sent.
Q. We'll come to the UAE in a little bit of detail shortly.

Sticking with the period 2012, if we may, for the moment, then, I would like to ask you some questions about the changes in product literature at that time.

Can we please have up side by side the following pair of documents: $\{A R C 00000378\}$ and $\{A R C 00000388\}$. If we can have those up side by side, we can see that this is a list of certifications in several languages, and we have been told by Arconic's solicitors, DLA Piper, that the version on the left, 378, was produced in 2010, and the document on the right, 388, was produced in 2012.
A. Sorry, could you ask the question again?
Q. Can you tell us what they were used for?
A. I couldn't - I don't know.
Q. Can we have those documents back up, please, and look at pages 3 and 5 of each of them, \{ARC00000378/3\} and $\{$ ARC00000388/5\}. We can see that happily this time they are both in English and other languages, but the English we can see, and this is "2.1 Certification". If you look in the 2010 version on page 3 \{ARC00000378/3\}, on the left - hand side, you can see, under "Fire certifications ", that "Europe" there, under "Country" -do you see? -- it lists both PE and FR core, and you can see that PE core is listed as $B-s 2, d 0$, and the $F R$ is listed as $B-s 1, d 0$. Do you see that?
A. Yes.
Q. If you look at the right-hand side, which is page 5 of the 2012 version $\{$ ARC $00000388 / 5\}$, you can see that under

My first question is: are you familiar with these
A. I don't recall $--I$ don't recall them, no.
Q. To show you a little bit more detail, they are in three
different languages, English, French and German, it appears, and in fact other languages as well across the page, Spanish, Italian and Russian.

Do you know who within Arconic produced documents such as this?
A. No, I don't, I'm sorry.
Q. To assist you further, if you look at the English
version on the left - hand side:
" Certifications.
"All Reynobond Architecture and Reynolux products are subjected to strict, internal quality tests."

Then a little bit lower down it says, "Reynobond Architecture Certification", and it goes on in the text to say:
"So far, no European standards exist for Aluminium Composite Panels.
"Until this Euronorm standard is realised throughout Europe, Reynobond Architecture products will be certified according to three aspects in all countries. These are:
". Product certification
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" - Reaction to fire certification
". System certification."
That's what the documents are about to this extent.
Do we take it from your answers you have given so
far on this document that you were never provided with these to use in your marketing?
A. I don't recall seeing them, no.
"Europe" only the FR certification is listed there, $B-s 1, d 0$. There is no claim there about the PE classification under the Euro system at all.

My question is: do you know why that change happened?
A. No, I don't.
Q. Did you know that the change had happened as a fact?
A. No, I didn't.
Q. You're not able to explain it?
A. No, I can't.
Q. Were you aware of any decision at a high level, or a higher level than you, perhaps, within Arconic to remove references to class $B$ on its marketing literature for Reynobond PE between 2010 and 2012?
A. No, I wouldn't have been made aware of any of that.
Q. Are you able to explain why this document or these documents are in English if these documents were not intended for the UK market?
A. I can't explain that, no.
Q. Are these documents that you would have been expected to have been provided with for use in your sales efforts in the UK market?
A. They possibly were part of the marketing documents I had. There was a number of brochures that I had available to me. I could very well have used them.

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Q. You could very well have used them?
A. Or sent them out, yes, if they were available to me.
Q. Right. Being available to you $--I$ see, okay -- you wouldn't have sent them out without being thoroughly familiar with them, would you?
A. In terms of all the technical aspects, then no, I wouldn't have been studying them and understanding every aspect of it and questioning it to that degree, no.
Q. Would you have been expected to have been told by those who provided you with the 2012 version that some aspects of it had changed?
A. If it was relevant to what I was doing, yes.
Q. Right.

Did anybody as a fact ever point out to you that the 2012 version had changed from the 2010 version because the European class $B$ reference in relation to PE had been removed and only the FR version was referred to?
A. No, I don't recall.
Q. Do you remember ever alerting your customers to the fact that the 2012 document had been updated or changed from the 2010 version, or indeed any earlier version?
A. No. As I've -- no, I don't recall.
Q. Would you be expected to be told by those providing you with this document that, even though you needn't worry
A. Yes, it would have been useful to have some pointers.
Q. Yes.

Who provided you with these documents in 2010 and 2012 respectively, do you remember?
A. They would have come either from our marketing team or the sales technical team.
Q. Can you give us some names, though? First of all, who in the marketing team would have given you these documents?
A. As I explained yesterday, I can't remember the names of the people that were in the marketing team at the time.
Q. Who in the sales technical team would have given you these documents?
A. There would have -- that would have been Claude and his team.
Q. When you say Claude and his team, do you mean Claude Wehrle?
A. Claude Wehrle or ... and I can't remember the other - there was two others in the team. Unfortunately I can't remember their names.
Q. What about Peter Froehlich, would he have been the one to have provided you with these documents, do you think?
A. He could have passed those on to me, yes.

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Q. What about Nicholas Remy? What about him?
A. I ... possibly. I think he - I can't remember which. I recognise the name. I think he was in the sales technical team, but I can't be certain.
Q. What about Philippe Vonthron?
A. He worked with the sales technical team.
Q. Did he provide these documents to you?
A. Sorry, say that again?
Q. Did he provide these documents to you?
A. He may have done, but most -- I would think it would come from the marketing team.
Q. When these documents came to you, how did they come? Did they come by post or by email?
A. We had them on both. Some of them were on the website that you could download, some would come as hard copies and be posted over to me, and latterly they were on a digital format.
Q. Right.

Would somebody email you and attach them to the email and say, "Here you are, you should be using this version of these documents for your marketing"?
A. I don't recall any emails of that nature.
Q. If you downloaded them from the website, what told you that they were there on the website relevant to you, such that you should download them?
A. Nothing other than somebody requesting it, and I would -- generally I'd got it stored on my own laptop.
Q. How would you go about getting it? You go on to the website. What would tell you that you needed to check the website to look for these documents?
A. Nothing, it was -- what I'm saying is that those brochures could have been on the website to be able to download them from there.
Q. But did nobody in the sales technical team alert you to the fact this they existed and say, "Go and look at the website, you'll need them"?
A. No, I don't recall that.
Q. So what would prompt you to go to the website and look for documents such as these?
A. If a customer had asked for something and I - - it was the quickest way to get it to them was to show them the website and get them to take it off the website.
Q. Right.

What kind of question would you get from a customer which would prompt you to look for this document?
A. If they -- just general questions, or if they wanted a brochure about Reynobond, any information about Reynobond, it would be the -- generally you would send them the group product brochure.
Q. Right. But if, as you told us, the fire classification

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regime for Reynobond was irrelevant to your market, what was the point of finding your customers a document which had the product certifications for France, Germany, Great Britain, Poland, Russia, Italy, Spain, et cetera, and the European classifications?
A. Because that was the general documents that were in circulation, so I would have to send that out.
Q. Yes, and so you would have sent it because it was relevant to a customer who wanted it, wouldn't you?
A. Because they'd asked for it so I would send that document out, or a general Reynobond document out.
Q. So you would know that your customers were interested in the Euro classifications, not only class 0 .
A. It depends what they were asking the question on. It could have been that they were asking for information to do with colours or the types of panels that could be made. It wouldn't necessarily always be about fire. It was ... it could have been just general questions about Reynobond and the product.
Q. Let me try and get at it this way: how would you be told, or would you be told, by anyone in Arconic that these documents changed from year to year or period to period?
A. I don't recall.
Q. You would need to be, wouldn't you? You would need to
A. As l've said before if they'd - it would be
would have been told, or they would have been alerting
me to the fact that there had been some changes, but
I don't recall how that happened.
Q. If we compare page 1 of the document on the left-hand side, $\{A R C 00000378 / 1\}$, and page 3 of the later document, \{ARC00000388/3\}, if we could just have those up, please, at the same time, we had those before, they appear to be identical, don't they?
A. Yes, if -- without reading them word for word, but yes.
Q. All right, take it from me that they are identical or substantially identical.

We haven't been able to see anything in this document, either on this page or anywhere else, to tell the customer clearly that the one on the right, 2012, is a new document updated from the one on the left, 2010; is that right? Not just as a matter of reading the documents, but would that be a correct conclusion? There is nothing in the right-hand document, 2012, to say that the 2010 document has been revised, amended, updated in any way.
A. That's - it's difficult for me to answer without having understood the exact -- all of the detail, but no,

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I can't see anything that points it out.
Q. More generally, were you ever told by Peter Froehlich or anybody in the sales technical team to tell your customers that your marketing literature had changed?
A. Not that I recall.
Q. Can we look at Claude Wehrle's witness statement, please. This is $\{$ MET00053190/28\}, paragraph 96 . He says there -- well, he says a lot, and I think it 's probably worth just showing you all of this paragraph, but there is one particular part I want to look at in detail with you. He says this:
"In relation to the removal from the relevant marketing materials of the EN classification reference for the PE product, I sent two emails in May 2012 requesting a meeting with Claude Schmidt and on the second occasion, on 29 May 2012, Claude Schmidt responded asking what the meeting was for. I confirmed that it was for a discussion on how the fire classifications are affecting the position in Europe. I do not recall actually meeting with Claude Schmidt but had a brief discussion early the following week when it was agreed between us that the reference to EN Class B in the marketing documents should be removed as it was no longer a wholly accurate reflection of the position. It was agreed that the sales team for each jurisdiction

## A. I don't recall.

Q. If Mr Wehrle is telling the truth in paragraph 96 of his statement, are you able to explain why you weren't told?
A. No, I don't - I can't answer that.
Q. Was there any discussion in any meetings of this change?

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## A. Not that I can recall.

Q. Were you sent any emails to tell you to tell your UK customers that Reynobond 55 PE was no longer class B?
A. I recall, having since gone through the details since Grenfell, there were some emails in relation to -- that came from Claude in relation to the cassettes --
Q. In 2014 - -
A. -- classifications. I don't -- sorry, say again?
Q. So sorry, I spoke over you, that's my fault.

That was in 2014, I think, wasn't it?
A. Yes, it would have been.
Q. Yes.

Just focusing on 2012, do you remember any emails telling you to tell your UK customers that Reynobond was no longer class B?
A. Not that I recall, no.
Q. Did anybody instruct you in any way to get this message out to your customer base?
A. Not that I recall, no.
Q. We discussed the toolbox yesterday. Is it right to say, on the basis of what you told us yesterday, that even if the toolbox had been updated, you would not have known to access it?
A. No, that's right.
Q. Now, we can see that Mr Wehrle says -- if we can go back

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    to his statement, please, at paragraph 96
    {MET00053190/28} -- that the intention was for customers
    to be informed of the position. You can see he says
    that two-thirds of the way down the paragraph. I showed
    you that before.
A. Yes.
Q. Did any customers actually ask about the fire
    performance of Reynobond, and in particular the fire
    performance of cassette-fix, at this time, 2012?
A. Not that I can recall.
Q. Now, in her witness statement -- and I'll just give the
    reference without going to it -- Gwenaelle Derrendinger
    says at paragraph 34 on page 11 {MET00053191/11} that
    they did not ask. Do you agree with that?
A. Yes, as I've said, I don't recall any asking.
Q. If Claude Wehrle's intention was, as he says in his
    statement, that customers would be told of the position
    when asking, do we take from that that if the customers
    didn't ask, they didn't get told?
A. If they weren't -- yes.
Q. Does it follow from that that it was unlikely for
        a customer in the UK to find out about the up-to-date
        European classifications for Reynobond 55?
A. Yes.
Q. They wouldn't know to ask if there had been a change
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        unless they knew there had been a change, would they?
    A. No.
Q. How would they know that there had been a change?
A. They wouldn't unless they were told.
Q. If you had been told at the time what we now see, namely
that Reynobond 55 PE was no longer a European class B,
would you have told your customers?
A. Erm ... I honestly -- I don't know. I don't know the
answer to that question. If I'd been told that -- if
I'd been asked that they all needed to know, then
I would have made sure that that communication went out
to them.
Q. What if you had been told only to tell them if they
asked about the fire performance of the cassette variant
of the product, as Mr Wehrle says? What if you had been
asked that question? What would you have said then?
A. It's difficult to answer that at this time. I can't
really answer that.
Q. Right.
I want just to look across, then, at what was
happening at this time, in 2012, on the Grenfell Tower
project. 2012, you'll appreciate, Ms French, was early
days for Grenfell.
I can start, I think, please, by asking you some
questions about your connection with the fabricators.

Can we look at your first witness statement, please,
\{MET00019063/2\}, and we can see there at paragraph 6 you say:
"As a sales manager my primary focus was the origination and sale of the Reynobond product in the UK market and since [Arconic] had (and still has so far as I am aware) a number of commercial competitors selling product equivalent to the Reynobond range then a lot of my efforts were focussed on developing customer relationships with fabricators and promoting the Reynobond brand in the market place. Naturally this included fielding enquiries regarding the range of colours for that product as well as pricing enquiries and preparing estimates and quotations. My main contacts were fabricators, who would buy the product and cut to size and shape according to project needs and who were often approached by main contractors or specialist cladding installers. A few major housebuilders and architects were also among my contacts."

Can we take it from that that you had a deliberate marketing strategy to have good relationships with fabricators?
A. Yes, I was focusing on that element.
Q. And fabricators for you were -- is this right? -- the platform by which you could market Reynobond to the

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end-user.
A. It was a way of us getting more exposure to Reynobond on certain projects.
Q. Does that mean that you would aim to have a smaller number of good contacts, fabricators, rather than trying to have a lot of direct relationships with designers, contractors, employers and so forth?
A. Yes.
Q. Yes.

Can we just look at a document, which is a presentation given to you, we think, in June 2013 at \{MET00019917/10\}. We have a diagram.

This is a document I think you compiled, isn't it?
A. Yes.
Q. Let's just look at this diagram.

You can see the date at the bottom left-hand corner, 12 September 2017. That's obviously after the fire. What is the relevance of that date?
A. There wouldn't have been any for that, as I wasn't there at the time.
Q. That may very well therefore be just an exhibit mark.

Staying on this page, you can see that, from the left - hand side, you have got "6 Approved Fabricators" and "Taylor Maxwell", and in the middle, "RB Arch UK" -is that Reynobond Architecture UK?

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A. Yes.
Q. Then, "All Projects & Details Recorded in CRM", that's
    the database that details the projects, isn't it?
A. That's right.
Q. That data.
        Then on the right-hand side:
        "Architects & Investors.
        "CPD Presentations.
        "Specifications.
        "Main Contractors.
        "Cladding Installers."
        What was the significance of "Architects &
        Investors" there?
A. So that was to -- basically we were looking at trying to
        promote Reynobond through architects --
Q. Right.
A. -- to get specifications.
Q. And --
A. -- with doing CPD presentations and developing
    specifications with them.
Q. What about main contractors?
A. I don't - - can't remember why that was on there, but it
    would -- we would have been having contact -- so through
    those approved fabricators and other people on there,
    they -- we would have been having some contact with main
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    contractors on specific projects, and we had -- I had
    some contact -- not much, probably one, maybe two --
    with cladding installers .
    Q. Right.
A. Very, very rare with cladding installers .
Q. Then if we go to page 3 of this document
\{MET00019917/3\}, we can see that it's entitled:
"Reynobond/Reynolux. Business Case -:
"Strategy - Objectives - Actions."
"Route to Market \& Why" is the second bullet point
down:
"Taylor Maxwell - Fabricators.
"Architects \& Main Contractors \& Supply Agreements."
Do you see that?
A. Yes.
Q. Does that tell us that your main market were
fabricators, but also architects and main contractors?
A. Yes, we were getting involved with some main contractors
due to -- a specific main contractor through
fabricators.
Q. Now, if you go -- and I should have shown you this, and
I'm sorry -- back to page 2 of this document
\{MET00019917/2\}, you can see that it's dated June 2013.
I did say that it was; that's where we see it: "Sales
Meeting June 2013". So does that tell us -- tell me if
this is wrong -- that at that time at least, June 2013, you regarded your principal customer base as fabricators, but also architects, cladding contractors and main contractors, perhaps to a lesser extent?
A. Yeah, the main was fabricators and architects. But, as I say, with the main contractor there was one specific contractor that we were working with, which was to do with some general housing that they were dealing with.
Q. So in very simple terms, can we take it from that that your customer base -- we have been talking a lot about your customers or customer base -- comprised fabricators and some architects?

## A. Yes.

Q. Thank you.

Now, if we go back to your first statement, please, \{MET00019063/3\}, please, paragraph 10. You say:
"One of the fabrication companies with whom I had established a good working relationship, and who had generated a number of opportunities for AAP SAS, was CEP Architectural Facades Limited ('CEP')."

You go on to say that Geof Blades of CEP contacted you about supplying to the Grenfell Tower project.

Did you have an existing relationship with Geof Blades before this time, early 2013?
A. Yes, we'd done a number of -- we'd done one, possibly --

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some work with CEP before that, yes.
Q. Geof Blades, when he gave his evidence -- this is \{Day41/31:23-25\} -- described your relationship as a professional business working relationship; would you agree with that?
A. Yes, I would.
Q. Would you agree it was an informal relationship but one of trust; yes?
A. We had a professional relationship.
Q. Yes. I'm not suggesting anything untoward, I'm just asking you: is he right to say that it was an informal relationship and one of trust?
A. Yes, we worked well together, yes.
Q. Now, Mr Blades told us that he didn't think that CEP would get favourable deals from Arconic by virtue of that relationship. Is he right about that?
A. Yes, he's right.
Q. You say in your second witness statement that your introduction to the Grenfell Tower project was in October 2012, and Mr Blades' evidence is that he introduced you to the project. For our purposes, that's \{Day41/85:15-21\}. Is that correct?
A. Yes, I believe so.
Q. And he also told us that he introduced you because he was aware that Studio E was interested in zinc products
and Reynobond could be supplied in zinc or with a zinc
finish; is that right?
A. Yes.
Q. Were you told in advance that the architect was looking
for zinc products? I say in advance; before you met
Studio E.
A. I knew we were going in to talk about ACM. I can't
recall whether it was specifically about ZCM, zinc
material.
Q. Now, Geof Blades also told us -- and this is
\{Day41/86:3-6\} to \{Day41/89\} -- that CEP did not work
with solid zinc or ZCM; is that right?
A. That's my understanding, they hadn't, yes.
Q. So does that mean that if you were going to supply CEP
or going to supply a project using CEP as your
fabricator, it would rule out using zinc or ZCM
altogether?
A. No, there is no reason why they couldn't have -- the
fact they hadn't dealt with it before wouldn't have been
any reason for them not to have been fabricating it at
some point.
Q. Right. Could Arconic supply solid zinc?
A. Not solid zinc, no, only ZCM.
Q. That was the only zinc metal product that you could
supply, ZCM; is that right?

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A. Yes.
Q. Arconic, I think, could also supply, as you told us yesterday, zinc patina ACM, so ACM coated to look like zinc.
A. Yes.
Q. I think it's right CEP would be happy to work with zinc patina ACM because it was ACM and not ZCM.
A. I don't recall having those exact conversations with them, but there's no reason why they couldn't have fabricated ZCM or used the zinc painted look --
Q. Right
A. --ACM .
Q. Do you remember at that time -- October 2012, or indeed early 2013 - - who the main contractor on the Grenfell Tower project was?
A. I remember at the very first meeting that there was the main contractor, Leadbitters, at that meeting, but that was my only knowledge of main contractors that were involved.
Q. Do you remember whether you brought product literature, a hard copy of product literature, with you to that meeting?
A. I don't recall specifically .
Q. Do you remember discussing natural solid zinc at that meeting?
A. I recall talking about ZCM .
Q. You talked about ZCM, did you?
A. We talked about ZCM and possibly other ACM materials as well.
Q. Did you talk about zinc patina ACM?
A. I ... it would have been in the brochure, if I'd have left the brochure. But I don't recall whether I specifically spoke about $z$ patina.
Q. Mr Blades' recollection -- and, again, \{Day41/88:16\} -was that you discussed at that meeting options where you could offer paint finish to replicate zinc. Is that right?
A. Yeah. I don't recall it myself.
Q. You say you also discussed ZCM.
A. Yes.
Q. What about the arrangement with Umicore at that time?
A. We were being encouraged to sell ZCM and not the zinc patina because of an arrangement that had been drawn up between Umicore, who were supplying Alcoa the natural zinc skin to produce the ZCM. So we were being encouraged not to sell the painted zinc material --
Q. Why did you --
A. -- because of that.
Q. Why did you discuss zinc patina finished ACM given the Umicore arrangement at that time?

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## A. I don't recall specifically why.

Q. Did you discuss anything about the fire performance, either of ZCM or zinc patina finished ACM at that meeting?
A. No, I don't recall.
Q. Did you mention the different core, the fact that ZCM had an FR core, invariably, whereas ACM could have either a PE core or an FR core? Did that topic --
A. No, I don't recall .
Q. Did you discuss core at all at that meeting?
A. No, I don't recall doing so.
Q. Did you discuss the price of ZCM at that meeting?
A. No, I wouldn't have done.
Q. ZCM was substantially more expensive, wasn't it, than ACM?
A. Yeah, but that wouldn't have been for me to discuss that with -- in front of an architect. The fabricator would have done that through the right channels.
Q. How hard did you push ZCM, do you remember, in those early meetings, or at that early meeting?
A. It's not -- it wasn't for me to try and persuade a customer either way. We had a range of materials and I would present that range of materials, and it would have been up to them to decide what they wanted.
MR MILLETT: Can you give us an idea of the -- well, let me

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    just ask you this, put it this way to you.
        Can I ask you to look at Claude Schmidt's second
    witness statement.
    Mr Chairman, I note the time. This is probably
    about a five - minute line of questions, but there is some
    dipping into some evidence. It's as convenient a moment
    as ever, but we're on the same topic.
SIR MARTIN MOORE-BICK: Well, if it's a convenient point
    let's break there. If you would rather just continue
    for, you know, five minutes or a little longer, I'm
    quite happy with that.
MR MILLETT: If we can do that, I'd be very grateful.
SIR MARTIN MOORE-BICK: Yes, all right.
MR MILLETT: Thank you very much.
            Ms French, can I ask you, please, to be shown
        Claude Schmidt's second witness statement at page 13
        {MET00053187/13} at paragraph 37. He says in that
        statement at 37:
            "37. With regard to the prices of ZCM and ACM FR in
    comparison to ACM (55) PE around the time of the
    refurbishment of Grenfell Tower, these were as follows:
            "37.1. ZCM - circa EUR }80\mathrm{ per sqm.
            "37.2. ACM FR - circa EUR }28\mathrm{ per sqm.
            "37.3. ACM PE - circa EUR 26 per sqm."
            So on this basis, on this evidence from Mr Schmidt,
ZCM was more than three times the cost of ACM PE. Does that accord with your recollection?
A. Yes, it was more expensive.
Q. Now, he also tells us about Arconic's profit margin. If we can go to page 13 of this statement \(\{\) MET00053187/13\} at paragraph 38 , just below it, he says:
"38. So far as profit margins on ZCM, ACM FR and ACM 55 (PE) products at the onset and during the refurbishment of Grenfell Tower are concerned, these were as follows:
"38.1 ZCM - circa EUR 30-40 per sqm.
"38.2 ACM FR - circa EUR 5-6 per sqm.
"38.3 ACM PE - circa EUR 7-8 per sqm."
Now, according to Claude Schmidt, therefore, it looks as if PE makes around \(€ 2\) more per square metre than FR-cored ACM. Would that, again, correspond with your recollection?
A. I was not ever party to any of the profit that they were making on either -- any of the products. The only information I was working on was the overall square-metre price to the customer. I was not party to any of that.
Q. You didn't know which was the more profitable of the products in the range you were selling?
A. No, definitely not.
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Q. Right. It looks from this as if ZCM makes by far the most profit. Do I take it, though, from what you're telling us, that you didn't know that?
A. No, I definitely didn't know that.
Q. Were you ever encouraged to sell PE over FR?
A. No.

MR MILLETT: Mr Chairman, that I think is a convenient moment.
SIR MARTIN MOORE-BICK: Yes, very well.
Well, Ms French, we will have a break at that point.
Please remember not to talk to anyone about your evidence or anything to do with it while we have the break, and we will resume at 11.35 , please. All right? THE WITNESS: Thank you.
SIR MARTIN MOORE-BICK: Thank you very much. (11.20 am)
(A short break)
(11.35 am)

SIR MARTIN MOORE-BICK: Welcome back, everyone. I'm going to go next to Ms French to check that she is back with us.

Hello, Ms French, are you there?
THE WITNESS: Yes, I am, thank you, sir.
SIR MARTIN MOORE-BICK: And you can see me and hear me plainly, I hope?

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THE WITNESS: Yes, thank you.
SIR MARTIN MOORE-BICK: And you're ready to carry on?
THE WITNESS: Yes, I am.
SIR MARTIN MOORE-BICK: So I shall ask Mr Millett to
continue his questioning.
Yes, Mr Millett.
MR MILLETT: Mr Chairman.
Welcome back, Ms French.
I just want to explore a little bit more with you, if I can, the topic of ZCM.

You told us before that Arconic had had an arrangement with Umicore by which you were obliged to promote ZCM, in other words solid zinc panels.
A. Yes.
Q. Yes. Could we look at exhibit DF4 at \{MET00019919\}, please. This is one of your exhibits, and if you go to the next page, this is the first page of the exhibit, if you go to page 2 \{MET00019919/2\}, you can see that this is a list of samples provided for the Grenfell Tower project.

I think you put this together -- is this right? -when you were preparing your witness statements.
A. I didn't put it together; it was put together by the solicitors.
Q. Right. Am I right in thinking that this was a list of

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    samples that you historically had provided to Studio E
    when you were involved?
A. Yes, it was.
Q. Yes.
        Now, if we look down that list -- and it's
    chronological, 2013, 2014, and below that, 2014, right
    through that year - - you can see that there are a large
    number of samples provided. If you look down that list,
    and take your time, if you can just look first of all at
    what's on the page in front of you, or screen in front
    of you there, is any of those ZCM?
A. No.
Q. If you look at the bottom half of the page, then, is any
    of those ZCM?
A. No -- yes, sorry, Reynobond zinc - - erm, no.
Q. No?
A. No.
Q. So can you explain why you never provided any samples of
    ZCM, notwithstanding your arrangement with Umicore that
    you were obliged to promote ZCM?
A. No, I don't recall
Q. Do you remember whether you brought samples with you to
    the October 2012 meeting?
A. No, I don't remember.
Q. You don't remember?
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A. No, I don't remember.
Q. Do you remember whether you took any particular samples or you just don't remember one way or the other?
A. I can't remember what I took with me on that particular meeting.
Q. Right.

Can we look at your first witness statement at page 4 \{MET00019063/4\}, please, and I would like to look with you at paragraph 11. You're talking here about the correspondence in late March 2013, and if you look five lines down in that paragraph, you say:
"In relation to the zinc patina ACM, I believe we must have spoken to Umicore regarding providing this colour ACM so as not to have been acting against our arrangement with them. I was not however involved in those discussions."

To be fair to you, it does appear that you attempted to introduce Umicore to the project. If we could just look at that, it 's at \{CEP000000014\}. This is an email chain from October 2012, where you can see that Jonathan Lowy of Umicore writes to you -- or copies to you, he writes to Studio E, Adrian -- that's Adrian Jess, we believe - - on 16 October 2012, copied to you:
"Adrian,
A. Sorry, could you repeat the question?

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Q. Yes. We haven't seen any emails where anybody from Umicore gave permission to Reynobond, to Arconic, to sell zinc patina $A C M$ as opposed to pure zinc. Did you see any emails of that nature at the time?
A. No, I don't recall the details of that.
Q. Do you know or can you remember who it was who gave permission or sought permission -- who at Arconic sought permission to use that material?
A. To use the ZCM?
Q. To use $A C M$ with a patina finish.
A. No, I don't.
Q. Can we go to your first witness statement again, please, at page 4 \{MET00019063/4\}, paragraph 14. You say there:
"I was asked to provide some indicative pricing for the supply of ZCM, which is an FR product, of a volume of approx. $5,000 \mathrm{~m} 2$. I cannot now remember whether I provided a formal quotation or written estimate but I do recall that soon after I had provided a price I was told (I think by Geoff[sic] Blades) that we were too expensive."

Is it right that at that stage you thought you had lost the Grenfell Tower project?
A. I believe so, yes.
Q. Was that because, in your view, ZCM was too expensive?
A. I can't recall, but yes, I believe so.

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Q. Right.
            Was any part of that thinking related to the fact
    that, as Geof Blades told us in his evidence, CEP did
    not work with or had never worked with ZCM?
A. I don't believe that would have been a reason for it,
    no.
Q. Right. Were you still hopeful at that time that CEP
    would still promote Reynobond products, including
    perhaps zinc patina ACM?
A. On this particular project?
Q. (inaudible) projects.
A. I don't recall whether -- what I would have thought at
    the time. It would have been down to the customer to
    decide what they wanted. It wasn't for us to try and
    manoeuvre them down any particular route. It would have
    been up to them to decide.
Q. Right. And in fact it 's right, isn't it, that even as
    early as late March 2013, you were supplying samples of
    zinc patina ACM to Studio E, weren't you?
A. Yes.
Q. Yes.
Can we then turn to 2013 proper. I've taken the chronology slightly out of order, I'm afraid, but I want to try to stay, if I can, with the events in those early days of the Grenfell Tower refurbishment, rolling back
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the clock a little bit to the very beginning of 2013. So that's where we are in the chronology.

Can we look at \{CEP00048975\}, please. This is a run of emails in early 2013, January 2013. If we look at the second email down, this is an email from Mohit Kotecha of Leadbitter to Geof Blades on 24 January 2013, and it's said to be email 1 of 2 . It says:
"Geof,
"Nice to meet you today at the Baseline offices to review the Grenfell Tower Project with Gareth and myself. As discussed please find attached all necessary details for CEP Architectural to produce a design, manufacture and supply price along with installation costs from your approved installer Highrise Solutions."

We can see that this was forwarded to you, if you look a little bit higher up the page, by Geof Blades a little bit later on the same day, 24 January 2014.

Now, take it from me that we have seen that attached to this email from Mr Kotecha to Mr Blades was a bundle of documents, and I'll just give the reference, it 's \{CEP00048977\}, there is no need to go to those. That's the email itself

If we go to the bundle, it's \{CEP00048978\}, this is what gets sent, and this is an outline specification for
the rainscreen cladding. If we go to page 10 of this document $\{$ CEP00048978/10\}, you will see that here is an early drawing of the overclad tower.

When you received the email that Mr Kotecha had sent to Mr Blades and Mr Blades had forwarded to you on 24 January 2013, did you open the bundle of documents and look at this document?
A. I don't recall whether I did or didn't.
Q. Also attached to his email and forwarded to you is \{CEP00048979\}. This is another bundle of documents. If we go to page 3 \{CEP00048979/3\} in that, please, we can see that this is a picture of the tower before refurbishment.

You say you didn't look at these, I think. In your statement you say you don't recall receiving these emails, and you don't know if you ever looked at the attachments.
A. No, I don't recall whether I did or didn't.
Q. It's right, isn't it, that you were asked to quote for the project at about this time, weren't you?
A. I don't recall the details of the date that we were first asked to produce a price.
Q. Right. Well, you had a meeting, I think, with Studio E in March 2013, didn't you?
A. Yes.

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Q. That's a couple of months later than this document. When you had that meeting, did you look back at this email that you had got from Mr Kotecha in January and the bundle he had sent you about the project?
A. A lot of those details on there wouldn't have been necessarily relevant to me. That would have been down to the ... we were basically providing a larger flat material that other people would have been cutting down and installing, so I wouldn't necessarily have looked over those details in great detail. But I don't recall whether I did or didn't open them.
Q. Right, you don't recall whether you did or didn't open them.

Can we proceed on the basis that, because Mr Blades was sending you this information for this project, at
the very least at the time this was information that he thought was important to you, and you would have realised that?
A. Yes.
Q. Is there any reason you can think of why you wouldn't have looked at these documents?
A. Because, as I say, we were providing -- the build-up of that -- of any project is nothing -- it wasn't relevant to what I was actually doing. We were supplying a product that would have then been cut down by others,
it would have been designed by others, and it would have
been installed onto a building by others. So all of
those details -- again, technically I wouldn't have had
an awful lot of knowledge about what those drawings
meant, what they involved or how specific or
non-specific they were.
Q. That's fair enough. I'm really just asking you whether
you looked at these at the time. You say you can't
remember.
Did you look at them in preparation for the sales
meeting that you had at the end of March, two months
later?
A. I don't think -- I don't recall.
Q. Let's look at your second statement, paragraph 72 ,
please, on page $21\{M E T 00053162 / 21\}$. You say there
that:
"I have also recently, again by virtue of
disclosure ... seen that on 24 January 2013
Mr Geof Blades $(C E P)$ forwarded me (copied to
Mr Neil Wilson (CEP)) two emails that he had received
from Mr Mohit Kotecha of Leadbitter. I do not recall
receiving these emails and I do not know if I ever
looked at the attachments. From looking at the emails
again now, I also note that they do not ask me provide
further information or respond. I have been asked to

That's fair enough. I'm really just asking you whether you looked at these at the time. You say you can't emember.

Did you look at them in preparation for the sales later?
A. I don't think $--I$ don't recall.

Let's look at your second statement, paragraph 72, lease, on page 21 \{MET00053162/21\}. You say there
"I have also recently, again by virtue of disclosure ... seen that on 24 January 2013 Mr Neil Wilson (CEP)) two emails that he had received from Mr Mohit Kotecha of Leadbitter. I do not recall looked at the attachments. From looking at the emails further information or respond. I have been asked to

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describe what the attachments are and what they show. I can see that the emails include 12 attachments which I would describe as artistic renderings of what Grenfell Tower might look like after completion of the works along with technical architectural drawings, some showing the building as a whole and others showing cross sections. They include information such as the amount of area to be covered by cladding and technical drawings of the window installation. This was very early in the project and I am not sure that the documents would have been directly relevant for my purposes. I had no technical knowledge and did not get involved in the design of projects and therefore cannot explain in technical detail the drawings or what they show. Indeed it was common for me to have very limited details about a project. Copies of these emails and attachments appear from page 327 of DF/5."

Do you accept that at the very least what these show is that Grenfell Tower was a tall building?
A. Yes.
Q. And that you noticed that it was a tall building, a high-rise building?
A. Yes.
Q. Can we look back at your statement at paragraph 73, which is the next paragraph down in the same statement.

## You say there:

"I have been asked to confirm whether I knew if the building was taller than 18 metres and the extent of the cladding works. I do not recall ever thinking about the height of the building or the extent of the cladding, as far as I was concerned at the time, the product had a BBA certificate which referred to National Class 0."

Now, can we take that statement there in your statement as confirming that you understood the regulations in the UK at the time sufficiently to know that as long as the product you were supplying had class 0 , you could sell it for any height of building, including Grenfell Tower, being a high building?
A. Yes.
Q. Does that tell us that you knew at the time that it was important that Reynobond PE 55 had achieved a class 0 fire classification because, without it, you couldn't sell it for use on a tall building such as Grenfell Tower?
A. I don't recall thinking of it or understanding it in that detail.
Q. To be clear, is it because you knew or perhaps thought - - let's say thought - - that Reynobond 55 PE had achieved class 0 that you didn't concern yourself with the height of the building?

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A. No, and, as I say, other people had all the details as well and would have been able to make those judgement calls as well.
Q. Yes. Well, I'm just asking about your thinking, you see, because in your statement you say you don't recall thinking about the height of the building or the extent of the cladding because "as far as I was concerned at the time, the product had a BBA certificate which referred to National Class $0^{\prime \prime}$.

What I'm just trying to understand is your thought process. Was your thought process that because it had class 0 you didn't have to think about the height of the building at all, or did you think because it's class 0 , even though it's a tall building, it can be used?
A. It - - basically it was that I didn't really think about any product -- any building in terms of its height or its overall design. We had a BBA document and I -- my understanding was that it was covered by the necessary regulations.
Q. Let me try and get at it in a different way.

You saw that Grenfell Tower was a tall building;
when you saw that it was a tall building, was your
thought process, "Well, that's all right because
Reynobond PE 55 has got a class 0 so I can supply it"?
A. I'm honestly not sure that I would have even thought

## A. No.

Q. Now, between March and April 2013, I think it's right, isn't it, that you sent samples to Studio E, because we saw that list that you had compiled; that's correct, isn't it?
A. Yes.
Q. Now, in her evidence, Gwenaelle Derrendinger says
that - - and this is paragraph 29 of her statement
\{MET00053191/8\} - - that samples are A4 size or smaller; is that right?
A. Yes, there were a couple of different sizes, A4 or A3. Maybe slightly smaller than a A3.
Q. Right. And they're supplied purely for aesthetic purposes?
A. Yes.
Q. Is it right that Arconic, as she says, produced ACM to order, and when Arconic produces ACM to order, additional sheets are made up and cut up into sample

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sizes and that's how samples are generated?
A. That's right.
Q. Is that correct?
A. Yes.
Q. Yes, thank you.

She also says that, because of that method of production, Arconic doesn't pay any attention to the core of the sample, samples are for colour and finish only; is she right about that?
A. Yes.
Q. To the best of your understanding, did your customers understand that that was the purpose of your sending them samples?
A. I believe so, yes. We -- again, we were never asked any questions about the core on any samples provided. It was always to do with the aesthetics.
Q. So does it follow from that that you never discussed the core of samples that you were sending your customers?
A. From my recollection, no.
Q. I'd like to turn, then, to a topic about internal records within Arconic about the Grenfell Tower project, if I may.

Now, in your first witness statement you say that you had a meeting with Studio E on 4 March 2013. That's paragraph 10 \{MET00019063/3\}. I can take you back to it
A. Ye
Q. If we look at your first statement in the same place, you also said on 11 March you confirmed the entry onto the Arconic CRM programme showing CEP as the potential customer for Grenfell Tower, with Geof Blades as the potential customer. In fact, it's come up on the screen for your convenience. So you can see there, do you see, you say in the last few lines?
A. Yes.
Q. Yes. CRM, does that stand for customer relationship management?
A. Yes.
Q. Can you just explain to us, what is that? Is it a database?
A. Yes, in effect. It was just a main portal for information to be stored about projects, customers and other details. Samples were ordered through that CRM system at a later stage as well.
Q. If we go to the entry in the CRM that you refer to, I think we find that at $\{$ MET00019920/5\}. Can we go to that. This is dated 11 March 2013, and it comes from "donotreply@crmondemand.com", 11 March 2013, to Gwenaelle Derrendinger, "Task 'Grenfell Tower' Is Submitted".

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Just help me with this: is this an automated email from the CRM system?
A. Yes.
Q. What would prompt it to go?
A. That they'd sent some -- that they'd shipped samples out to satisfy the request that had been put into the system.
Q. Right.

Do I understand it this way: you would make an entry on to the CRM about the project and what was needed, and that would then automatically email
Gwenaelle Derrendinger, or perhaps the inside sales team, about what was needed?
A. I believe the requests went direct to somebody else within Merxheim for them to pull together the necessary sample and send it out. So either myself or Gwen would raise the request for samples.
Q. I see.

If we look at the substance of the email that's
sent, just go back to that, please, it says:
"Order Ship - Brochures/Samples
Gwenaelle Derrendinger ...
"**Task Information**
"Grenfell Tower.
"Normal.

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    "[Arconic] Contact 1: French Deborah ... Contact 2:
Derrendinger Gwenaelle.
    "**Account Information**
    "CEP ARCHITECTURAL FACADES LTD.
    " ..
    "**Contact Information**
    "GEOF BLADES.
    "English."
    Does that reflect an entry that you had made
yourself on to the CRM?
A. Yeah, it could very well be from me. I don't know whether it -- I can't remember whether it would have been from me or whether it would have been put in there by Gwen. As I say, we would have both had access to that and do that, depending on where the request came from.
Q. Does the existence of this email tell us that the Grenfell Tower project had actually been entered onto the CRM database at this time or by this time?
A. Yes.
Q. This is 11 March 2013, yes.
What was the significance of the entry of the Grenfell Tower project onto the CRM database?
A. We had to put everything into -- that we were working on into the CRM and start to build up a sort of knowledge
of the project and the details of the project so that we could track samples and other information.
Q. Can we then look back at your first witness statement at page 5 \{MET00019063/5\}, please, paragraph 16. You say there:
"I cannot recall any further activity or exchanges for the rest of 2013 , although I note from page 1 of 'DF3' that on 18 October 2013 I created a new CRM programme entry for the Grenfell project. This CRM document shows Leadbitters as a potential party and the product identified was ACM RB, Painted, (this would be PE or FR) and ZCM RB (this was FR)."
Now, is that your recollection, that there was a new CRM programme entry for Grenfell Tower project in October 2013?
A. I don't recall that. I've just seen the email that you've just shown me.
Q. The one I showed you was March 2013, and what I was just interested to know was what happened to the March entry onto the CRM if the one in October was, as you call it, a new entry?
A. I don't know, I can't recall.
Q. Can we look at your exhibit 3 which you refer to, \{MET00019918/2\}, please. You can see that this is an entry onto the CRM, and you can see the date,
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18 March -- sorry, 18 October -- no, perhaps that's not the right date. Yes, it's the bottom right-hand corner of this document, which, under "Sales Detail Information" -- I think you have to scroll down a little bit further. Yes, in the top right of your screen in front you it says "Created External Deborah French 18/10/2013". That's the date I think you get in your statement. Do you see that?
A. Yes.
Q. Did you make this entry at that time?
A. Yes, possibly.
Q. Then if we look under "Project Address", which you will see just a little bit above that in the page -- can you see it says "Project Address"?
A. Yes.
Q. Just above that it says "Type of Building: Residential", "Type of Market: Public".

Does that tell us that at this time, October 2013, you knew that the Grenfell Tower project was a residential building and that it was part of public housing?
A. Yes.
Q. Yes.

Can I then turn to another document, which is your exhibit DF1 at $\{$ MET00019920/31\}. This is earlier in the

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year, 2013. It looks like an automatically generated email, dated 5 April 2013, and again sent to
Gwenaelle Derrendinger. You can see underneath that the text:
"Objet ... Grenfell Tower.
"Client ... Studio E.
"Contact ... Cagney Blaine.
"Utilisation ..."
I'm sorry, it's in French:
"... Reynobond 55.
"Mode de transformation ... Cassettes."
Do you see that?
A. Yes.
Q. "Format ... A6."

Now, do you remember making this entry yourself?
A. No, looking at the very top, where it says "From",
that's something that would have been generated by Gwen, I believe.
Q. Right, but how would she have known to generate these details unless she had had direct contact with Studio E?
A. There could have been an email in direct requesting that, or it could have been that I forwarded it on and she raised it in the CRM system.
Q. Do you remember whether she ever had direct contact with Studio E?

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A. I don't recall, no.
Q. I don't want you to speculate, but doing the best you
    can with your recollection, is it right that in fact
    those details came from you?
A. Again, it could have been an email that was sent in to
    both myself and Gwen, and that she's picked it up and
    entered it into the CRM system, or it could have been
    that I'd phoned her and asked her to do it. I really
    can't recall.
Q. Do you recall whether there had been any discussions
    about using cassette in particular at this time,
    April 2013?
A. No, I don't recall .
Q. Can you explain why "mode de transformation" is cassette
        as opposed to cassette or rivet, or even just rivet?
A. No, I don't know.
Q. Now, looking at the format, A6, does that suggest that
        this was actually about a sample?
A. Yes, it would have been a smaller sample.
Q. Right.
            I'm now going to turn to a different topic, also
    within 2013, which is the UAE fires in late 2012 and
    early 2013.
            Now, in this next section, I ought to give a trigger
    warning. We may be showing pictures of fires in tall
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    buildings. We saw one or two earlier, but I just ought
    to say that.
            Can we start by going to Claude Schmidt's
        exhibit 10, \{MET00053157/32\}. I just want to see what
        you know about this.
            At the very bottom of the page there on the screen
        in front of you, you can see the start of an article
        entitled "Cladding Blamed in Skyscraper Fire", Monday,
        November 26, 2012.
            Over the page at page 33 \{MET00053157/33\} you can
        see the substantive start of the article, and
        an embedded video with a picture of a tower on fire. We
        can't play it and I'm not going to play the video, but
        you can see the caption underneath it, and it says:
            "The fire at Tamweel Tower started near the top of
        the building and moved down, raining down flaming pieces
        of the building onto the ground."
            This is November 2013.
            Did you know at that time that there had been
        a cladding fire at the Tamweel Tower, which was in
        Dubai, on 20 November 2012?
    A. I recall there being a fire of some description in the
UAE, but I didn't know the details or had no further
information or knowledge of it.
Q. Right. So do we take it from that that you didn't know
about this specific fire?
A. No, not the specific details, no.
Q. Do you remember any discussion within Arconic, either with Peter Froehlich or with Claude Wehrle or anybody else in those departments, about the fact of a high-rise fire in a tall building in Dubai at that time, November 2012?
A. No, I wouldn't have been party to any of those discussions, I -- as I say, I visited the factory very rarely and certainly wouldn't have been involved or even heard discussions going on in Merxheim.
Q. There was another fire in April 2013 at the AI Hafeet Tower in the UAE, and that was on 22 April 2013. Do you remember that fire?
A. No. As I say, I recall a fire in the UAE, but I can't - - I couldn't begin to tell you what the details were, when it was or what the project details were.
Q. Right.

Let's see how far we go with the next document,
then, which is one of Claude Wehrle's exhibits, part 10, page 157. That is at \{MET00053158_P10/157\}.

Now, this is an email from Richard Geater of 3 A to Barrie Wingrove dated 9 May 2013.

Now, we understand that Richard Geater was the sales representative in the UK for Alucobond, 3A's product.

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Are you able to confirm that?
A. Yes, I believe he was.
Q. Yes. He was effectively your direct competition; is that fair?

## A. (Witness nods).

Q. If we scroll up very briefly to the bottom of page 156 \{MET00053158_P10/156\}, we can see that this email was passed on in turn, do you see, by Barrie Wingrove to a number of people on 9 May, and copied to you? Do you see your name at the very bottom there, cc?
A. Yes.
Q. Then just following the email up a little bit further on page 156, we can see that you sent that email on 10 May 2013 to Peter Froehlich, Claude Wehrle, Alain Flacon and Claude Schmidt:
"Morning All
"Just to make you aware I sent this link over to Claude W last week concerning a BBC report covering a fire in UAE using ACM.
"Richard Geater - Alucobond Rep in the UK is emailing all fabricators explaining that Alucobond is now using a fire core only as [standard]."

Then you embed the link into your email.
Then you go on to say:
"Would welcome any comments/statement we have ref

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    the fire and our [standards] so I can communicate this
    to our relevant customers.'
            Now, I've shown you that, and I want just to go back
    now, if I can, to the email that Barrie Wingrove sent.
    Can I just ask you: Barrie Wingrove, he has
    an Argonaut UK email address; who was Barrie Wingrove,
    do you remember?
A. He was a fabricator.
Q. He was a fabricator, right.
            Geof Blades also told us that he had received
    an email from Richard Geater at about this time
    concerning this fire. Were you aware whether
    Richard Geater of 3A was sending an email about this
    fire to other fabricators, like CEP, or did you not
    know?
A. I don't - - I can't recall the instance of that
    happening. But he'd obviously sent it to a number of
    people, looking at that.
Q. Let's look then at the email he sends to Barrie Wingrove
    which gets passed to you and you pass on within Arconic
    up the chain {MET00053158_P10/157}. He starts by
    saying:
        "Hi Barrie,
        "You may or may not have seen the recent press
        coverage of a building fire in Dubai clad in ACM?"
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        He then goes on to say, after the link:
        "Having taken the time to investigate with my
    colleague responsible for this market he has responded
    as follows ..."
        We can see the response, which is all in italics.
        When you got this email and then passed it up the
    chain, did you read it?
    A. Yes, I probably did at the time, but again, I don't
recall it, it's a long time ago.
Q. No, I understand that, but I just want to confirm
that --
A. I wouldn't have not - - I wouldn't have not read it, no.
Q. Right. Okay.
Can we then go to the third paragraph in the
italics. It says:
"The trouble is that the cladding system here in
particular but all over in general, using PE, is like
a chimney which transports the fire from bottom to top
or vice versa within shortest time."
Then if you look at the fourth paragraph, he says:
"The worst of all: in our field of composite panels:
YOU DO NOT GET WHAT YOU SEE!! The Mulk Holding ALUBOND 22
people are responsible for the huge damage in this part
of the world. They, since a very long time promote fire
'rated' composite panels with a white core which
.......... when being tested ......... turns out to be a recycled PE core burning like paper. Half of the country is full of this rubbish due to price. We have taken random samples and done a live test in Bangkok in front of architects, they almost fainted. Indeed, this panel is a whole cheat and burns fiercely."

Did you read that message specifically?
A. I -- as I say, I'm pretty sure I would have done, but I don't recall reading it or even recognise it now.
Q. Would it be right to conclude from the fact that you sent it on up the chain to senior people in Arconic that you regarded it as an important message?
A. Yes.
Q. Were you shocked by what Barrie Wingrove was passing on to you from his colleague?
A. I don't recall -- I can't remember what my response would have been, but, as I say, having passed it on up, I was obviously concerned about it.
Q. Did you appreciate that there was a view, at least expressed in this email, that a ventilated façade with a polyethylene-cored panel could transport fire up a building like a chimney, as he says?
A. I probably wouldn't have taken that element on board, not being a -- having any knowledge of design.
Q. Did you note his view or observation that the recycled

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PE burns like paper?
A. I don't recall.
Q. What about the observation that architects, when shown a live test, almost fainted?
A. Again, I don't recall the specifics in that.
Q. Right. Really I'm just trying to get a feel for your reaction when you saw this email for the first time.

Did it occur to you at that moment that PE-cored ACM was not fire-safe?
A. Again, I can't comment on how I would have felt. I've obviously sent it to Merxheim for a reason, and would have expected them to, you know, comment as appropriate, and if it was affecting what we were doing here, then I would have had the necessary information.
Q. Did it occur to you, from reading this, that PE-cored ACM might be dangerous?
A. Probably not, no. It would -- again, it would have been relevant to the BBA document if anything was altering, and then I would have been notified about that.
Q. Did you note Mr Geater's comment after the end of the italics -- actually, to be fair to you, I'm not sure I've shown you those yet. Let's scroll down a little bit, if we can, because I haven't. Let me show you that.

After the end of the italics, if you scroll down on

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page 157, which are the quotations, Mr Geater says:
"Again the perils of using cheap ACM alternatives have been exposed. As you are aware our standard core is the PLUS FR mineral core achieving Class $B, s 1, d 0$, according to EN 13501-1, unlike other ACM producers."

Now, I'm assuming that since you read this email and passed it on, you would have read that sentence?
A. Possibly, yes.
Q. When you did read that sentence, did it occur to you that your competitor, Mr Geater at 3A, regarded the European classifications as relevant?
A. I wouldn't have taken that on board. As I say, my knowledge -- I do not -- I didn't have enough knowledge in those areas. I would have sent that on for other people to be guiding as to what -- you know, whether the materials we'd got were suitable or not.
Q. Did it not occur to you at the time that -- given what you've told us about your view about the relevance of the European fire classifications, did you not ask yourself or wonder why it was that Mr Geater was referring to them, given that you were competing in the same market?
A. No.
Q. Right. When he says that the perils of using cheap ACM have been exposed, did that not cause you some concern

## or surprise?

A. Again, I can't comment because I can't remember how I reacted at the time.
Q. Right.

Did you note the fact that 3A's standard product was an FR product?
A. I knew at the time that their product had been changed to an FR.
Q. Did you wonder why yours hadn't?
A. Again, I was being guided by Merxheim. If they thought it was relevant then that's what they would have provided us.
Q. Do you know from your own recollection whether

Alucobond $--3 A$, that is -- stopped selling PE-cored Alucobond at this time?
A. I don't recall.
Q. Did you have any thoughts about whether perhaps Arconic should stop selling PE core and offer FR as standard in all regions at this time?
A. Again, I can't recall at -- in 2013 whether that was -whether I did or didn't.
Q. Right.

$$
\text { Can we look up, then, to }-- \text { well, we've seen }
$$

$$
\text { page } 156 \text { \{MET00053158_P10/156\} and the email that you }
$$ forwarded on on 10 May. You say in your statement that

## A. I don't recall any others.

Q. Right. And what was the nature of the query, can you recall?
A. I think it was just, again, highlighting that there had been some fires and just alerting me to them, or making me aware of them.

## Q. What did you want Mr Wehrle to do?

A. I don't recall what I was thinking at the time. It was possibly some reassurances that everything we were doing was okay and I was okay to carry on.
Q. Did Mr Wehrle respond to your message that we can see here you sent him the previous week?
A. I don't recall specifically whether he did or didn't.
Q. In passing these messages or this email up the chain to seniors at Arconic, you were obviously bringing it to their attention because you thought it was important, as you told us. Were you looking to them to give you lines of communication that you could give to customers who called in and asked about it?
A. Yes, I was obviously needing some sort of reassurance that we were - I was okay to carry on as I was, and be told differently otherwise.

[^1]in fact two minutes later, on the morning of 13 May, to CEP. It looks as if, but you can confirm, that the text is exactly the same.
A. Yes, it is.
Q. We can work with either of these emails, it doesn't matter which. Let's go with the first one I put up, which is the one to Graham Smith and John Simmons.

As I've shown you, you can see that Claude Wehrle and Peter Froehlich were copied. Peter Froehlich, in his evidence, says that he spoke to you about the contents of this email that you sent. He says that at paragraph 57.1 .2 of his statement at page 20 \{MET00053197/20\}, just for our reference.

Can you confirm from your recollection that Peter Froehlich did speak to you about the contents of this email?
A. I can't recollect that exactly, but I wouldn't have put that sort of information together without having some sort of guidance from Merxheim.
Q. Right. Did you draft this email yourself?
A. I don't recall whether I did or didn't, or whether it was a combination of some wording from Merxheim and me adding stuff in, I can't recall.
Q. Right. Do you remember who was involved in pulling together the text of this email, apart from you and
possibly Peter Froehlich?
A. No, I don't. I would have said that if it 's gone - - if I've copied in Claude and Peter, then it would have been those two. But --
Q. And --
A. Sorry.
Q. Sorry, do you want to finish your answer?
A. I don't know whether that would have then gone up from them, up further, I don't know.
Q. We can see from those two examples on the screen that you sent one to Simco and another to CEP. Was this a general round-robin that you were sending to all of your small group of fabricators?
A. If I've sent it to those two and done it straightaway, then yes, I could very well have been sending it to the key fabricators that we were working with.
Q. Did anybody tell you to whom to send this email?
A. No, they wouldn't necessarily have done that.
Q. Right. So whose idea was it to send it to these two fabricators, or the fabricators in general?
A. That would have probably been guided by me, because I obviously know the customers that were asking the relevant questions.
Q. Right.

We've seen that Claude Wehrle was copied in to the

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version on the left, the one to Simco, although it doesn't appear that he was copied in to the one on the right.

Is it fair to say, to the best of your recollection, that Claude Wehrle knew what you were saying to customers?
A. Yes.
Q. And that he approved it?
A. He would have been aware of it, yeah -- yes.
Q. Now, did you consider sending this email to end customers, for example Studio E, with whom you had had meetings on the Grenfell Tower project?

## A. No.

Q. You don't mention in your statement that you sent this email to CEP, only to Simco. Why is that?
A. I don't recall having sent it to CEP until just seeing the email that you've shown me.
Q. I see. Does that mean that, when you were preparing your statement, nobody showed you the version of this email you sent to CEP?
A. No, I'd just seen the one sent to Simco.
Q. Why didn't you consider sending this email to end customers outside the group of fabricators?
A. I don't recall, and $--I$ don't recall. I can't recall who even received that email, apart from the two that
you've shown me, I don't know.
Q. Let's now look at the text of the message. If you can go back to it, please, at $\{$ MET00053173/79\}. This is the one sent to John Simmons and Graham Smith, copied to Claude Wehrle and Peter Froehlich, as we can see.

I'm just going to show the whole thing to you, and take it slowly. You say:
" Hi
"As you may be aware there had been some reports via BBC concerning a fire on a building in UAE regarding ACM.
"As a business we are aware of this report and our technical team are following the details, but in the meantime I wanted to add some thoughts that may help if you get questions from your customers/clients etc.
"Regarding the supply of Reynobond in the UK, as you know we supply both PE and FR core and can control and understand what core is being used in all projects due to the controlled supply route we have. By only supplying Reynobond to a very small group of Approved Fabricators and working very closely with them on all projects we are able to follow what type of project is being designed/developed and then offer the right Reynobond specification including the core.
"At this stage we will continue to offer both PE \&

FR core and continue the close working relationship we have with our Approved Fabricators to make sure the right technical support, Reynobond Specification and Materials are being used and installed on Reynobond Projects.
"Many thanks for making me aware of the reports and for your continued support."

Just looking at those two paragraphs before the end, the third and fourth paragraphs -- the one starting "Regarding the supply of Reynobond" and the next one which starts "At this stage" -- when you wrote those two paragraphs describing Arconic's practice there, was what you said in those paragraphs true?
A. I think, looking back on it, there was -- they were sent as a -- some information to the fabricators to give them some comfort that we were aware of what was going on. I think some of the language that's been used in it is -- I wouldn't necessarily put back in there again. It's probably heavy on the sales side.
Q. Well, let's go through it. I'm going to come back to that answer shortly, if I can, because I just want to understand it a little better. Before we do, let's see if we can break down for absolute clarity what it is you're saying here.

Was it true that Arconic controlled and understood

## A. No.

Q. Was it true that Arconic worked very closely with the fabricators it approved?
A. We worked -- we did work closely with the fabricators that we were supplying materials to.
Q. Was Arconic able to follow what type of project was being designed or developed?
A. Only through the CRM system and the information that was being put and developed in there.
Q. Was it true that Arconic would then offer the right Reynobond specification, including the core?
A. No.
Q. So those four statements I've just put to you, of those four statements, two were false and two had to be qualified in the way you've done. That's right, isn't it?
A. Yes.
Q. So it wasn't true to say to your fabricators, including CEP, that Arconic informed itself in sufficient detail about each project so as to be able to advise whether an FR core or a PE core was suitable?
A. No.
Q. If it wasn't true, why did you make those statements?
A. As I say, reading back on it now, it was not the right

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thing to put in there, and it was, as I say, very heavy on - - in terms of the wording, it was too heavy on the sales side, to basically give customers some comfort that we were still able to continue with what we were doing.
Q. Heavy on the sales side; what do you mean?
A. As in it was a document that was sent to give them some reassurances that the business was comfortable with offering the materials that we were offering and that it was all still okay for us to use and supply.
Q. Based on at least two false statements?
A. As I say, reading back -- reading the details again in the context of what we're looking at now, then it wasn't the right thing to have sent.
Q. You knew at the time that at least two of these statements l've put to you were false, didn't you?
A. I wouldn't have said I'd looked at it in that sense. As I say, I was sending a communication out to our customers to say that they were still okay to deal with us and that we were still providing materials in the way that they needed.
Q. When you told CEP and other fabricators that Arconic informed itself in sufficient detail about each project so as to be able to advise whether an FR core or a PE core was suitable, not only was that false, but it
appears that you knew it was false; is that right?
A. No, I wouldn't have necessarily known that in that context at the time. As I say, reading it now, in the details that we're looking at today, I wouldn't have sent that information out.
Q. What have you learnt since you wrote this email that you didn't know at the time, which means that when you wrote it at the time, you didn't know that what l've just put to you was false?
A. I've learnt a huge amount since. I mean, an enormous amount. As I say, as I've said numerous occasions, the topic of fire, my understanding of it, the implications of it, were just not discussed in the market. So I was basically trying to give the customers that were asking at the time some reassurances that we were doing the right things. The wording that l've used in that was, looking back on it now, not necessarily the right thing to have -- was not the right way to have worded it or sent it.
Q. Let's take the two statements that you accepted straight away were false: Arconic control and understand what core is being used in all projects. Not only was that false, but you knew that was false at the time.
A. As you -- as I say, at the time of writing it, I hadn't thought of it in that context. I didn't write it

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knowing that that was the context it was being written in.
Q. When you said in this email that Arconic controlled and understood what core is being used in all projects, you accepted that that was a false statement. What I'm putting to you is that when you made that false statement, you knew it was false; do you accept that?
A. Some of the wording in there, as I say, was not in the way that it should have been, and so, yes, some of that wording was -- should not have been put in there in the way that it was, in the context of what we're looking at -- how we're looking at it today.
Q. Ms French, there is a difference, I would suggest to you, between unfortunate wording that could be worded better on the one hand, and a statement that is factually false on the other. Do you understand that difference?
A. I do understand the difference, and I'm just trying to explain that, at the time, with the market in the way that it was, with the knowledge that I had, then I'd written that in that vein. I had not written that deliberately to write false information in there.
Q. When you wrote in this email that Arconic controlled and understood what core is being used in all projects, you accept that that was false. What was it that led you to

## A. I don't know.

Q. I'm bound to suggest to you that, at least in those two respects, those statements were not only false, as you have accepted, but you knew them to be false.
A. As I've explained, if I'd understood the context of what I was doing at the time, then I wouldn't have worded it in that way. I did not write that information on there with that intention.
Q. Can we look at page 12 of your second witness statement, please $\{$ MET00053162/12\}. I'd like to look with you, please, at paragraph 44. Four lines down, you say this:
"How the finished product was assembled and whether it complied with relevant regulations was a matter for the customer or otherwise the person who designed the rain-screen cladding system".

How do you reconcile that statement as part of your witness statement with the email of 13 May that we've just been looking at?
A. Yeah, I can't, and as I explained -- and I will say the same thing again -- looking at that email now, and in the context of what I wrote at the time, then I did it for those reasons, and some of the wording was not how I would be writing it now, with the knowledge that I now have.
Q. Do you think it might actually be the case that what you
Q. No. They don't - - sorry.
A. As I've explained, having read that email again, and in
the context of how I wrote it at the time, and I am now
certain core was inappropriate (I was in no position to do so). What I meant was that technical support was available, if it should be needed, through the Technical Sales Support Team if a customer had queries about the product (including the core). In practice, this would involve me seeking a response from the Technical Sales Support team and providing this to a customer or asking for the Technical Sales Support Team to engage with the customer direct."

I just want to focus, if I can, on the words at the bottom of the previous page $\{$ MET00053162/32 $\}$ and the top of this page $\{$ MET00053162/33\}. Let's just look at them again, if you go to the bottom of the previous page. You say:
"What I meant was that the technical support was available, if it should be needed, through the Technical Sales Support Team if a customer had queries about the product (including the core)."

That sentence there, is that not completely contradictory of what you said in your 13 May 2013 email?
Q. No. They don't -- sorry.
the context of how I wrote it at the time, and I am now
wrote in your 13 May email was true, and what you're saying in your statement about not knowing about the finished product and it being a matter for the customer was untrue?
A. No, what's in my statement is true, it is down for the people - - they understand what the final end use of the building is going to be.
Q. Now, let's look in your witness statement at paragraph 96.4 on page 32 \{MET00053162/32\}, please.

You say here -- and this is, just to be clear to you, in relation to this email, and that in fact starts in the previous paragraph, 96.3. Perhaps we should just show you that for the full context, to be fair to you. 96.3:
"On 13 May 2013 I sent an email to Graham Smith ..."
Then you say in 96.4:
"I do not recall sending this email but reading it now, I think it requires some clarification. In particular ..."

Then you say at 96.4.1:
"[Arconic] did not pro-actively check what core had been ordered for any particular project and whether that core complied with Building Regulations or any other legislation. Neither do I ever recall advising any customer that they required a particular core or that a
saying that my knowledge now, I wouldn't have written it in the way that I have.
Q. It's not that they don't correlate; they're completely contradictory of one another, aren't they?
A. Yes.
Q. If you had really meant at the time that a customer should contact the technical sales support team if they had any queries, you would very simply have said so in your email.
A. Yes, I would have done.
Q. Why didn't you?
A. I don't know.
Q. In fact, you wouldn't have put anything that we've seen in those two main paragraphs of that email out to your customers, would you?
A. No, and, as I say, I -- having read that email,

I don't -- I wouldn't have written it in that way, and I don't know what - - I don't know what I was thinking to do it.
Q. Why would you have told your valued customers, in this small group of fabricators who were essential for your route to market, a series of lies? Why would you have done that?
A. As I say, I didn't set out to do that, that's not -wasn't my intention at all. And having re-read that,

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then my knowledge now, I wouldn't have written it like that.
Q. I feel bound to suggest to you that the clarification that you are setting out here in your witness statement is an argument you have come up with after the event to try to get away from what you said to all of your fabricators in your 13 May email.
A. No, I'm just trying to explain what - how I would think about that now, rather than the way that I did at the time.
Q. In fact, your practice as described at the time was true at the time you made it, you made no false statements to your customers, but what you have come up with in your statement trying to explain that email away is the true falsehood here; do you accept that?
A. Sorry, I'm not following what you're asking me.
Q. I'm putting to you that your email of 13 May was actually true, in all its respects, you made no false statements to your customers, and it's your witness statement now which is false in pretending that the contents of that email were, as you would say there, requiring explanation, but in fact false as you have explained.
A. No, I don't believe that's right.
Q. Going on to paragraph 96.4.2 of your statement, just

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below what we have been looking at, you say:
    "[Arconic] did not have 'Approved Fabricators' in
    any formal sense, rather [Arconic] simply supplied
    Reynobond to a small number of fabricators in the UK.
    I felt that working with a small number of fabricators
    would generate a form of brand loyalty so that they
    would be willing to recommend Reynobond when responding
    to tenders. The UK fabricators that [Arconic] primarily
    worked with were Simco, CEP, Sotech, CGL and Argonaut.
    We occasionally worked with a fabricator called Ash &
    Lacy and some other small fabricators, but this was not
    often."
            Now, is it your evidence that, contrary to what you
        say in the 13 May 2013 email, Arconic doesn't have
        approved fabricators in the UK?
A. We don't have -- no, there wasn't approved -- they
        didn't have to go through a set of procedures or
        demonstrate anything to be an approved fabricator.
Q. No. In truth, supplying to a small group of known
        fabricators was a marketing strategy, wasn't it?
A. Yes.
Q. It wasn't for reasons of Arconic's assurance about
    safety, whether fire safety or any other quality
    assurance.
A. No.
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Q. Whether they were approved in that sense or simply part of your marketing strategy, was it not the case that you worked with a small number of fabricators so that you could keep a close eye on each project and be able to give bespoke advice about whether the right core was going on to the right building?
A. No, the main reasons for only working with such a small group was that fabricators at the time were looking for us to pass any leads that we had, which was relatively small compared to some of our competitors, on to them. We would only pass those leads on to one or two of them at a time, rather than some of our competitors that would give a lead out to a considerable -- the majority of the fabricators. So --
Q. If -- I'm sorry, do you want to finish your answer?
A. That was the main reason for it, was passing of leads and generating leads and awareness of Reynobond, or any work that they were picking up that they would look to pass on -- look to get Reynobond involved with.
Q. If the 13 May 2013 email was as false as you have accepted that it was, what was the point of sending it?
A. As I say, having read it again, and looking at the context at the time rather than the context of what we all understand now, I don't know.
Q. What message were you seeking to convey to the
fabricators in that 13 May email?
A. I can't answer that question, I don't know.
Q. Did anybody more senior to you in Arconic require you to send that email in those terms?
A. I can't recall.
Q. Did you tell anybody in Arconic that you couldn't send this email out in this form because it was substantially false?
A. Sorry, say that again.
Q. Did you tell anybody in Arconic -- Peter Froehlich, for example, Claude Wehrle, for example -- that you weren't prepared to send this email out to this valued group of fabricators because it contained substantially false statements?
A. I don't recall.
Q. You would have done, wouldn't you? If you had been put up to sending out an email to valued customers,
fabricators being your customers, which you knew were substantially false, you would have objected, wouldn't you?
A. I would have questioned it. As I say, having read that document again, in the context of -- at the time of what -- my knowledge at the time, I wouldn't -- and looking at the context of it now, I wouldn't have sent it.

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Q. We've seen no trace of any communications between you and Claude Wehrle or Peter Froehlich in which you tell them that you're not prepared to send this message in this form, with these statements in it, to your customer base. Do we take it from that that you never did object to doing so?
A. I don't recall.
Q. I'm going to suggest to you that you didn't do so, and the reason you didn't do so is because there was nothing to object to, and the reason there was nothing to object to is because there is nothing false in any of those statements and you were quite content to send them out.
A. I don't know, I can't answer that.
Q. Now, can we just go back to the presentation we saw in June 2013. It's at $\{$ MET00019917/2\}. We looked at this earlier on at a different point of the questioning. This is your presentation of June 2013. Do you remember we looked at this? It says, "Sales Meeting June 2013".

Was this a sales meeting such as you would attend every year at Merxheim, or perhaps twice a year at Merxheim?
A. Possibly. I -- yes. I don't recall, but possibly.
Q. What was the target audience of that meeting, or rather of this slideshow?
A. If it was the annual sales meeting, it would have been
the other European -- other managers, sales managers
from other countries, European countries. Sometimes
there were internal salespeople there, the technical
team, and various other people from production and

> further up would be coming in and out.
Q. Now, we looked at page $10\{$ MET00019917/10 $\}$ earlier on. Let me just remind you of what that looks like. This is the route to market slide we saw earlier on and I asked you some questions about that.

If we go to the next page, page 11 \{MET00019917/11\}, there is a specific message to Taylor Maxwell and fabricators I don't think we did look at it, which is why I'm coming to it now.

It says on the right -- there is a picture of the British Isles, not a particularly accurate one, in blue with the geographical locations of what you call
"Approved RB Fabricators", and there is a list of six of them: CGL, Sotech, CEP, Simco, Downer and Argonaut.

The messages on the left-hand side in the red next to the bullet points say:
" Sell Specification to Architects.
" - Sell concept of special Colour.
" - Offer to Match other materials.
" - Push Design/Effects/Nat.
" - Understand what the client REALLY wants.

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" - CPD presentations to Architects.
". Get in there early."
Those messages in this slideshow -- this is June 2013, only a month after you sent this May email -are consistent, aren't they, with the message that you sent to these fabricators on 13 May 2013?
A. No, I don't think so. This is an internal document that was -- this is what $--I$ would be talking to the fabricators and basically what I was doing was selling -- talking to architects, focusing heavily on the special colours that we had, matching other colours from other competitors, promoting certain designs which was being -- which is something we were being asked to do from Merxheim, ie design, the effects and the natural. The "Understand what the Client REALLY wants" was to do more with the colour and the aesthetics, to understand exactly what they want and what they wanted their building to end up looking like, and CPDs to architects.
Q. Doesn't this slideshow -- and in particular page 10 that we looked at and this page, page $11-$ - show that in fact you were operating, or seeking to operate, a tightly controlled supply chain?
A. No, only inasmuch as -- the main reason for working with such few -- as I said, such few fabricators was those
fabricators would get a lot of leads in from other competitors who had got huge exposure to the market, far greater than Reynobond, but they were competing very heavily with multiple fabricators, and part of what we were doing was any leads that we had, we would pass it to two or three of them, and therefore they weren't -the pricing of those projects potentially were only between sort of, you know, a small handful of those fabricators rather than multiple fabricators.
Q. When you see in the third bullet point from the bottom, "Understand what the Client REALLY wants", why did you accentuate the word "really"?
A. I don't know, I can't recall. It's a presentation that was put together for internal purposes and was not sent out externally.
Q. What did you mean by, "Understand what the Client REALLY wants"?
A. In terms of generally, in terms of colours and what they wanted it to look like.
Q. And that presumably was entirely consistent with the idea that you knew what product was going on to what building in what project.
A. No, it was to understand what colour that they particularly wanted. But, as I say, that was written at the time for an internal document for a presentation

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only. This is not necessarily anything that was given out to those fabricators specifically or I would have necessarily discussed with those fabricators.
Q. I'm not suggesting that it was given to the fabricators. What I am suggesting is that this reflects your own strategy, and what I'm suggesting specifically is that the strategy that you are presenting to your sales colleagues in June 2013 is entirely consistent with the messages that you were giving your fabricators, indeed members of the self-same list on this slide; do you accept that?
A. I don't recall. I don't recall what my thought process was in terms of what the itemised areas would have been of the word "really".
Q. When you say you don't recall, I'm not really sure I understand what you mean by "don't recall". Here is a document that you made, I'm showing you, and even though you may not be able to remember precisely your thought processes, what I'm suggesting to you is that your internal strategy, as demonstrated by this slide, was entirely consistent with the email you sent to your fabricators.
A. No, I wouldn't necessarily put those two together in that context.
Q. You wouldn't necessarily put them together. What I'm
suggesting to you is that you can put them together, because the 13 May email matched externally what you were saying internally.
A. No, I don't think that was the reason I put this slide together. That wasn't my thinking on this slide here. It was purely to -- how we were going to be generating additional leads and awareness in the market. It was -I don't believe it was anything to do with that.
Q. Understanding what the client really wants rather suggests some kind of tailoring or bespoking of your product to the clients' needs, isn't that right?
A. I think this was written in the context of understanding how we could increase our awareness within the market, nothing more.
Q. I would suggest to you, just before we break, that the messages that you're giving to your sales team in this document are inconsistent with the idea that Reynobond 55 sheets leave Arconic's factory unfabricated and that is the last you hear, see or know of their destiny; do you accept that?
A. Once they'd left Merxheim and arrived with a fabricator, on a lot of occasions we wouldn't see anything to do with the project after that. I may have -- I took various pictures of -- or obtained various pictures of finished products -- projects, but not necessarily all

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of them. So I wouldn't necessarily follow those projects once they'd -- materials had left us.
MR MILLETT: Mr Chairman, I have one very short question still on this document.
SIR MARTIN MOORE-BICK: Then you had better ask it, Mr Millett.
MR MILLETT: It is very short.
If we could turn to the next page of this slideshow, please $\{$ MET00019917/12\}, here is a list of, I suppose, logos, really, of well known construction companies in the UK. You can see Keepmoat, Wates, Lovell, Balfour Beatty, Willmott Dixon -- these are familiar names -- under the heading "Route to market".

What was the purpose of this slide?
A. I don't recall, I think it was again -- it was that our -- we were starting to -- our fabricators would be working with some of those people, and that's again who we would start to get exposure to, through some of those routes, no more, no less.
Q. Did you deal with any of these organisations directly or were you looking to deal with them directly?
A. No, we wouldn't have had any need to deal with them directly in that sense, it was more --
Q. What was the relevance of these organisations to your business?

## (The short adjournment)

## (2.05 pm)

SIR MARTIN MOORE-BICK: Welcome back, everybody. We are now ready to continue taking evidence from Ms French. Ms French, are you there?

## THE WITNESS: Yes, I am, thank you, sir.

SIR MARTIN MOORE-BICK: Hello. And can you see me and hear me well?
THE WITNESS: Yes, I can.
SIR MARTIN MOORE-BICK: And you are ready to go on, I hope?
THE WITNESS: Yes.
SIR MARTIN MOORE-BICK: Good, thank you.
Then, Mr Millett, when you're ready.
MR MILLETT: Yes, thank you very much.
Ms French, can we please go back to the message that Richard Geater sent at $\{$ MET00053158_P10/157\}. If we could look, please, at the third paragraph from the bottom, "Again the perils", can you see that?
A. Yes.
Q. "Again the perils of using cheap ACM alternatives have been exposed. As you are aware our standard core is the PLUS FR mineral core achieving Class $B$, $s 1, d 0$, according to EN 13501-1, unlike other ACM producers."

Now, we've seen that he gives a warning here about the fire dangers of PE and against cheap ACM alternatives, and says that 3A will offer Alucobond FR as standard.

Is it right that you didn't give, yourself, any such warning to your customers, having seen this email?
A. No.

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Q. It's not right or it 's right that you didn't?
A. No, I didn't.
Q. No, you didn't.
        Indeed, your email of 13 May says that Arconic will
    continue to offer both PE core and FR core; that's
    right, isn't it?
A. Yes.
Q. Did Mr Geater's email, which you received and read and
    then passed on to Claude Wehrle, among others, not
    prompt you to re-examine the fire test classifications
    for each of the Reynobond products, both PE and FR core,
    in both rivet and cassette forms?
A. No. As I've explained before, I didn't have the
    technical knowledge to be able to do that, and that
    would have been for other people to do and communicate
    to me.
Q. Do you know whether they examined the fire test
        classifications for those products?
A. I'm not sure, I don't know.
Q. You sent the email of 13 May 2013, as you have told us,
    out to the selection of fabricators, certainly Simco and
    CEP, and probably others, in the knowledge that ACM with
    a PE core had been involved in the tower fire in Dubai;
    that's right, isn't it? That's the background.
A. Yes.
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Q. Is it right that you also then continued thereafter to supply PE-cored ACM automatically as standard in the UK?
A. Yes.
Q. Was that a safe practice, did you think?
A. Again, it would have been for others to tell me if that hadn't been the case. That wasn't $--I$ didn't have the technical background to be able to make that decision one way or another.
Q. Maybe you didn't, but I'm interested in what you thought at the time.

At the time, did you think to yourself that this was a safe practice, or did you think to yourself, in light of what you knew about the UAE fire, this was no longer a safe practice?
A. I must have been starting to have some questions in my mind. But, again, I would have been taking guidance from Merxheim, and they would have been guiding me as to what was or wasn't correct.
Q. On what you knew from the UAE fire the subject of Mr Geater's email, and indeed what you had already alerted Mr Wehrle to in the previous week, why did you continue to offer Reynobond 55 PE core as a standard in the UK market without at least some kind of warning about its fire performance?
A. I would have needed to have had a specific guidance from

Merxheim to do any different.
Q. Did you seek any such specific guidance from Merxheim?
A. I don't recall doing so.
Q. You don't recall doing so; does that mean you don't think you did so, to the best of your recollection?
A. Yeah, I can't recall.
Q. Why did you not do so?
A. I don't know. As I say, I wouldn't have had the knowledge or the experience to have been able to challenge it in that way, and would have been waiting for guidance from Merxheim, if they'd seen it was necessary.
SIR MARTIN MOORE-BICK: Well, just help me. You might have said to Merxheim, "Should we still be offering PE as standard?", without expressing a view either way, but at least prompting them to consider the question.
A. And I don't recall whether I did or didn't, sir.

SIR MARTIN MOORE-BICK: All right. Thank you.
MR MILLETT: Did you have any discussion at all with those at Merxheim about whether you should continue to offer PE to the UK market as standard?
A. I don't recall.
Q. Does that mean you recall that you didn't, or you don't recall one way or the other?
A. I don't recall whether I did.

## Q. Right.

Is it right to say that you at least were now on notice, aware of, the dangers of PE cladding panels on high - rise buildings from this point onwards?
A. It was certainly more -- being discussed more and more, yes.
Q. Well, my question was -- I'll repeat it, because I'm not sure I quite got an answer to it -- is it right that you at least were on notice of, aware of, the dangers of PE cladding panels on high-rise buildings from this point onwards?
A. Yes.
Q. Yet you continued to deal with CEP, in respect of the Grenfell Tower project specifically, in the knowledge of those dangers, without alerting them to those dangers?
A. Again, I would say that the documentation we were -- we were still covered with the BBA and I would have been waiting for any further guidance from Merxheim if that was changing.
Q. Did you have a discussion with Mr Blades of CEP about the dangers of using PE cladding on high - rise buildings, whether Grenfell Tower or not?
A. I don't recall doing so, no.
Q. Given that you knew Grenfell Tower was a high - rise residential building, as we've seen, why did you not
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you say at the bottom of that paragraph that the product identified was "ACM RB, Painted, (this would be PE or $F R$ ) and ZCM RB (this was FR)".
A. Yes.
Q. Is it right to say, given that that's October, so after the June meeting we've been talking about, that although you had stopped proactively selling ZCM, you would still sell ZCM if the customer asked for it, perhaps?
A. Yes.
Q. Right.

Now, we saw earlier that you were forwarded
a specification in January 2013 which came from
Leadbitter. We looked at that before. Just for our reference, that's at \{CEP00048975\} and \{CEP00048978\}.
We don't need to turn to that, we've looked at it before.

But in that context, can we go to the discussions you had with Mr Blades in early January 2014 now. So we're on the Grenfell Tower project, early 2014.

Can we look, please, at \{CEP00050721\}. Here is
Mr Blades emailing you on 7 January 2014, subject,
"Grenfell Tower", attachments, "Grenfell Tower spec.pdf", and the text says:
"Hi Debbs
"Please see the attached rainscreen spec ref the

## above.

"Could you please advise rates for Reynobond accordingly."

You can see, as I've shown you, that he attaches a document which he describes as the rainscreen spec. Can we look at that, please. It's at \{CEP00050722\}. Now, this is part H92, or section H92, as you can see there on the screen, of the Studio E NBS specification for the Grenfell Tower project, and this part, H92, is concerned with the rainscreen cladding, as you can see. There is not much else -- well, there is nothing else on the page in front of you.

If you go to page 3 \{CEP00050722/3\} of this document, here you can see the detailed specification in respect of the rainscreen cladding for Grenfell Tower under section 120.

Is it right that when you received this email from Mr Blades on 7 January 2014, you opened the attachment?
A. I don't recall opening it, but I see no reason why I wouldn't have done.
Q. And do you see any reason why you wouldn't, having opened it, have read the attachment, and this part in particular?
A. There is no reason why I wouldn't have read it, but again, it wouldn't have meant an awful lot to me.

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A. Because I would have had no interest in whether there
    was -- KME was in the specification or not. I wouldn't
    have particularly looked at those details. That wasn't
    relevant to Reynobond, so I wouldn't have particularly
    looked at it.
Q. Why did you think Mr Blades was sending you this
        document?
A. For the Reynobond elements within it, I guess.
Q. Right.
        Let's look at those. If we go back to page 2
    {CEP00050722/2}, at the bottom of the page we can see
    section 11, "Information to be provided with tender":
            " - In addition to the cladding [specified] in the
    below clauses 120 & 123 submit [comparative] supply and
    install costs per m2 of the whole cladding system for
    the following alternative materials:
            "Reynobond - Duragloss 5000:
            " - Metallic std & non-std (Satin gloss)
            " Chameleon
            " - Anodised Look (Satin gloss)
            "Alucobond:
            " - Spectra, Sakura 917.
            "Zinc:
            ". QUARTZ ZINC composite polymer panel by VM Zinc."
            Now, clearly Reynobond's Duragloss 5000 is Arconic's
A. Because I would have had no interest in whether there was -- KME was in the specification or not. I wouldn't relevant to Reynobond, so I wouldn't have particularly
Q. Why did you think Mr Blades was sending you this document?
A. For the Reynobond elements within it, I guess.
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Let's look at those. If we go back to page 2 \{CEP00050722/2\}, at the bottom of the page we can see section 11, "Information to be provided with tender":
" - In addition to the cladding [specified] in the below clauses $120 \& 123$ submit [comparative] supply and install costs per m 2 of the whole cladding system for the following alternative materials:
"Reynobond - Duragloss 5000:
" - Metallic std \& non-std (Satin gloss)
" - Chameleon
" - Anodised Look (Satin gloss)
"Alucobond:
"- Spectra, Sakura 917.
"Zinc:
composite polymer pane by VM Zinc.
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3
4 125

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product, isn't it?
A. Yes.
Q. And Alucobond there is 3A's product?
A. That's right.
Q. Am I right in thinking that the zinc product, quartz
    \mathrm{ zinc composite panel, is Arconic's ZCM product?}
A. Yes.
Q. So would that mean that you could supply it if that was
    what was asked for?
A. Yes.
Q. And although you had personally decided you weren't
    proactively going to be selling ZCM, if in fact you were
    asked to quote for ZCM as per this specification, you
        would do that?
    A. Yes.
    Q. Let's go to {CEP000000244}, please. This is an email
        from Geof Blades to you on 7 January at the bottom of
        the page, I've just shown you that, and he asks you to
        advise the rates for Reynobond.
            If we go back up the page, we see your response.
        This is }15\mathrm{ January, so about a week later, from you to
        Geof Blades, copied to Neil Wilson at CEP and also to
        Gwenaelle Derrendinger at Arconic inside sales. You
        say:
            "Hi Geof
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"Just to confirm the exceptionally good rates I quoted you for Grenfell Towers!!"

Then you set out the spec and a number of different colours and quantity, and you give him a price of $£ 28$ per square metre. You say at the bottom:
"Hope this is OK to start the bidding with Harleys, I am sure you or Neil will be back on the pone if you need any other details/reductions."

With a little non-smiley face.
Having shown you that, can we look at your first witness statement, please, at page 5 \{MET00019063/5\}. I would like to look with you at paragraph 17 where you cover this exchange.

You say in that paragraph, in the third line down:
"In addition, the price of $£ 28$ per m2 could have related to a competitive price for FR or a relatively high price for PE. CEP would have recognised that this was not a competitive quote for PE. A more usual price for PE would be $£ 22$ to $£ 24$ per m2. In my email dated 15 January 2014 I mentioned a 'good price' for the product and this indicates to me that the £28 per m2 was really competitive."

Then if you skip down to the very bottom of the page, you say there:
"I do not have available to me a copy of the

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rainscreen specification that appears to have been forwarded by Geoff[sic] Blades of CEP on 7 January 2014, and therefore cannot say whether PE or FR was specifically requested."

Now, l've shown you the specification that you were sent, and we can see that it was silent as to the core of the Reynobond ACM. We can look at it again if you like, but do you recall that it was silent on that subject?
A. I do, yes.
Q. Yes.

Your email back to Geof Blades is also silent on what core the $£ 28$ per square metre refers to. That's right, isn't it? You didn't identify whether the $£ 28$ per square metre was for FR core or PE core.

## A. No, I didn't.

Q. Now, you have told us that you would automatically quote for Reynobond PE core unless the customer asked for something else. You told us that yesterday.

On that basis, did you intend that this was a quotation for PE core?
A. I don't recall what it would have been originally raised for, but as standard it would have been PE. But I don't recall. It's not on the -- it's not on there, and I don't recall.

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Q. Right.
        Although, as you say, a more usual price for PE
    would be £22 to £24 per square metre, was this
    a relatively high price, in fact, for PE, knowing that
    Geof Blades and possibly Harley might negotiate it down?
A. If it was for a PE core, then it was a -- on the higher
    side, yes.
Q. So it wasn't a really competitive price at all ; it was
    a reasonably toppy price for PE which you thought they
    might knock down; is that a fair way of looking at it ?
A. That's possibly my thinking, yes.
Q. Yes.
            Now, we've seen no evidence that there were any
        discussions at all between you and CEP and you and
        Harley about the core.
            First of all, is that right? I will just put it to
        you squarely: is that correct?
A. Yeah, I don't recall any discussions about the core.
Q. And is it right that therefore at all times you assumed
        that Arconic, you in fact, would be supplying PE core
        for the Grenfell Tower project?
A. Yes.
Q. We've seen nothing to suggest that either CEP or Harley
    asked for FR or that you volunteered FR as the core
    material for Reynobond 55 for the Grenfell Tower
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        project. Is that correct?
    A. Yes, I don't recall any conversations about the core.
Q. You say you don't recall any conversations about the
core?
Q. Is it right that you were continuing to offer PE core as
standard and, as we see here in respect of the
the fire in the UAE had shown you were present in the
use of PE core on tall buildings?
A. Yes, I was.
Q. Is there a reason why you didn't alert Geof Blades or
Harley, when quoting for Reynobond 55 PE for Grenfell,
about those dangers?
A. As I've explained before, unless I was getting
a specific instruction from Merxheim to do differently,
then I would have carried on as I was.
Q. Even though you knew the use of Reynobond 55 PE core
might present a risk to life and safety?
A. As I say, I didn't have the technical background to be
able to make those decisions. I would have been led by
Merxheim as to whether the product was still suitable
for the use.
Q. Giving a warning about the use of a PE panel on a tall
building was not a technical piece of advice, was it, it

## Q. Were you told not to?

A. No. I don't believe I was.
Q. Now, I want to - - and I'm sorry to jump around in the chronology -- take a step back just a few months into late 2013 and look at what the testing position actually was at the time in relation to these panels.

Do you know, or did you know at the time, I should say, that Arconic had done some further European
fire tests on PE-cored Reynobond in the November of 2013, indeed at the very time that the NBS specification was being put together?
A. No, I don't believe I do recall that.
Q. Is that something that you would have been expected to have known?
A. Again, not unless it was relative to the information that we were providing for the UK, then no, there was no reason for them to tell me.
Q. Can we look at the Wehrle exhibits at
\{MET0000053158_P02/38\}. This is part 2, page 38 of the Wehrle exhibit.
Now, this is an email chain, and I should tell you
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straight away that you weren't copied in on this email at the time. It's in yellow highlight because those words are translations from the French. The originals are in French.

Just looking at the subject matter, and this is a communication between Philippe Vonthron at Alcoa and Benoit Forest at CSTB, do you think you might have seen these emails at the time, about testing?
A. No, I don't think so.
Q. Now, I'm going to ask you not about the document but about the content in general and see what you know about it .

Can we please have the bottom of page 38 and the top of page 39 \{MET0000053158_P02/39\} up together.

At the bottom of page 38 is the email from Benoit Forest of CSTB to Philippe Vonthron at Alcoa, and he starts:
"Hello Mr VONTHRON,
"The first SBI tests on the product 'REYNOBOND PE' have been completed."

If we switch to the top of page 39, you can see that now on the right-hand side of the screen, thank you. You can see "SBI test", that's -- well, did you know SBI stands for single burning item?
A. No.
was common sense; no?
A. Well, I didn't pass that information on, no.
Q. My question really is: why not?
Q. Men quen

## A. I don't recall conversations about the core. <br> A. I don't recall conversations about the core.

 the fire in the UAE had shown you were present in the use of PE core on tall buildings?A. Yes, I was.
Q. Is there a reason why you didn't alert Geof Blades or Harley, when quoting for Reynobond 55 PE for Grenfell,
A. As I've explained before, unless I was getting a specific instruction from Merxheim to do differently, then I would have carried on as I was.
Q. Even though you knew the use of Reynobond 55 PE core might present a risk to life and safety?
A. As I say, I didn't have the technical background to be Merxheim as to whether the product was still suitable for the use.
Q. Giving a warning about the use of a PE panel on a tall building was not a technical piece of advice, was it, it
Q. Well, you can see that there is the result of the single burning item test for PE, and this is on the riveted system, as you can see in the box on the left - hand side, "Behaviour: $\mathrm{C}-\mathrm{s} 2$, d0 on a test". Can you see that?
A. Yes, I can.
Q. To be clear, at this time, November 2013, Arconic are being told by the CSTB that in a Euro fire test, riveted system Reynobond PE has achieved a class C.

If we look at the second table down, that is in relation to a test done on Reynobond PE cassette system, and next to that you can see, within the box:
"Stopping the test at 800 [seconds] out of 1260 [seconds] for widespread ignition. Best possible classification: E (ignition test)."

## Then it goes on:

"Following these results, can you tell me what you want to do? You have the possibility to continue with the ignition test in order to envisage an E classification for both systems or to continue with SBI but only in order to obtain a C classification for the 'riveted' system since 'cassette' does not pass. Lastly, you can also decide to stop.
"We remain at your disposal for any further information and await your decision."

Now, I've shown you that, it's contemporaneous
material from the time.
My question for you, Ms French, is: did anybody tell you at the time that Reynobond PE in rivet form had been tested in November 2013 and achieved a Euroclass C?
A. I don't recall it at the time, but there have $--I$ have been shown some emails since, I think, that we were sent, but I don't know when -- I can't remember the date that that came to us.
Q. Right.

Do you remember being told at the time that the Reynobond PE in cassette form had been tested and had got a Euroclass E?
A. No, I don't.
Q. Did anybody tell you that the tests on cassette had been stopped again in relation to Reynobond cassette for fire spread reasons?
A. No, I don't.
Q. So is it right that at the time you were quoting Reynobond 55 PE for use on the Grenfell Tower project, you were ignorant of the results of these tests I've just shown you?
A. Yes.
Q. Are you able to explain, sitting there, how it is that you were not made aware of these results?
A. I can't. No, I can't begin to.

## Q. You can't begin to.

Are you surprised, having been shown these results, that you were not made aware of them?
A. Yes, I am.
Q. Who would you have expected to have told you about them?
A. That would have obviously come from Merxheim. It would have been up to people within Merxheim as to who that would have filtered through from. It would have either been from Peter, or possibly even higher up, or Claude Wehrle's team.
Q. Right.
A. It could have been any number of them.
Q. Let's move then, on the same topic, into early 2014, and we start with a CSTB certificate in January of that year.

Can we please go to Claude Wehrle's exhibit 4, page 135. This is at \{MET00053158_P04/135\}.

This is a CSTB reaction to fire classification report, RA13-0333, under EN 13501-1+A1:2013, and you can see that it relates to Reynobond 55 PE, if you look down the screen, and it's described as "composite panel with polyethylene core". If you go to the very bottom of the page, you can see the date, 31 January 2014.

If you go to the next page, page 136
\{MET00053158_P04/136\}, under "Product description", you
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can see that it is a composite panel, et cetera, and
then underneath that, "Systems", do you see, it says
"riveted or cassette"? Do you see that?
A. Yes.
Q. If we go down to page 137 \{MET00053158_P04/137\}, please, we can see the classification in the box, E. Do you see that?
A. Yes.
Q. So this certificate says that in both fixing methods, rivet or cassette, Reynobond PE is class E in the European regime.

Did anybody tell you, do you remember, in or just after the end of January 2014, that Reynobond PE in either fixing variant, rivet or cassette, had achieved a class E in the European fire classification regime?
A. I believe that I have seen that document, but I think it's been since the -- obviously going through this process with the Inquiry that I've seen them. I can't remember what date it was.
Q. To be fair to you, we're going to come to a document which may jog your recollection a little bit more closely or accurately.

Can we go to \{MET00053158_P04/134\}, please, three pages back in this exhibit run of emails.

Here is an email from Claude Wehrle to RAF liste
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commercial externe, and RAF liste commercial interne,
and you told us yesterday that you would have received emails on the externe list. Just to double confirm that, that's correct, isn't it?
A. Yes, I believe so.
Q. It's dated 3 February $2014-$ - it's in American dating there, but let's not worry about that -- and it has two attachments to it, one in Anglais and one not. They're both the same document but one is a translation.

It says:
"Dear colleagues
"Please find enclosed the new fire reaction test report for Reynobond Architecture PE in accordance with EN 13501 Norm. The fire achieved classification is 'E'."

That's all in bold in the email.
"The previous 'B' class report done for Reynobond PE in riveted system can no more be used from now. Indeed, this new report cancel all the previous reports. I stay at your disposal if you have any further question."

Do you recall receiving this email, Ms French?
A. I don't recall receiving it, but I do recognise it, having gone through the process that we're going through currently.
Q. Right. Can you confirm that you would have read it at 137
the time you received it?
A. Yes. I mean, if I was on that then yes, I would have
done.
Q. Right.

Who else would have been included on the group email RAF liste commercial? Would Peter Froehlich have been on that list?
A. I'm - my understanding is that all external people were on that list.
Q. What about Alain Flacon, would he have been on that list or either of those lists?
A. I don't know without -- without checking, I couldn't answer that.
Q. Right.

Now, in your second witness statement, you address this email. I would like to look with you at what you say about it. Can we look at it at second witness statement, page 13 \{MET00053162/13\}, paragraph 48.2. At that paragraph, you say:
"I have seen an email dated 3 February 2014 to the [Arconic] sales distribution list. The email is from Claude Wehrle which attached a European classification report relating to Reynobond PE dated 31 January 2014. I can see from looking at the report now that it related to the use of Reynobond in both rivet and cassette
systems and that the overall classification given is $E$. In the covering email Claude notes [we've seen it] , ... the new fire test report for Reynobond Architecture PE in accordance with EN13501 Norm. The fire achieved classification is "E". The previous "B" class report done for Reynobond PE in riveted system can no more be used from now'."

Then you go on to say a copy of this email is attached, et cetera, and then you say this:
"I do not recall seeing this email or having any discussions about it at the time and I am not sure that I would have appreciated its relevance to sales in the UK because I understand that the relevant classification for Reynobond in the UK was [national class 0]. Looking at the name of the distribution list to which that email was sent, I think it likely that I did receive it at the time. I do not recall ever being specifically asked to send or highlight this report to customers. If a customer had asked me for such a report then I would have obtained a copy from the Technical Sales Support Team and provided it (see for example paragraph 48.3 below). I cannot recall sending a copy of any classification reports for Reynobond (either those dated 31 January 2014 or any others) to CEP or any of the companies involved in the refurbishment of

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Grenfell Tower."
Just summarising what you are saying there, to see what you accept, do you accept that you did receive the email?
A. Yes. Well, again, I can't confirm that definitely, but
yes, I would likely be on that distribution list.
Q. It looks as if you didn't have any discussions with anybody within Arconic about it; is that right?
A. I believe so.
Q. It looks as if you didn't do anything with it either, such as forwarding it on to anybody; is that right?
A. Yes, I believe so.
Q. Do you think you opened the attachment?
A. I can't recall.
Q. Or perhaps asked the technical sales support team to send the attachment to you?
A. I don't recall.
Q. When you say you're not sure you would have appreciated its relevance to sales in the UK, as you do --
I'm afraid it's the previous page \{MET00053162/13\}, you say there, seven lines up:
"... I am not sure that I would have appreciated its relevance to sales in the UK ..."

When you say that, was that because you didn't know that European testing classification was recognised in

## the UK?

A. As I've said previously, my understanding was that it -providing the information coming from Merxheim was to continue using the BBA, then that's what I was continuing to use.
Q. Right. I'm just trying to get to the bottom of what you mean here when you say you weren't sure you would have appreciated its relevance to sales in the UK.

Is it that you didn't appreciate its relevance because you thought it was relevant but, because there was class 0 for this product, the downgrading of the Euroclass didn't matter?
A. Yeah, I don't think I fully appreciated the different testing regimes between how the BBA would be taking information and issuing a certificate or whether -- how much relevance that had with the European ones.
Q. Right.
A. And because it only referred to the European, I wouldn't have necessarily seen that it was relevant.
Q. Looking at what you say here in your statement, "I am not sure I would have appreciated its relevance to sales in the UK because I understand that the relevant classification for Reynobond in the UK was [national class 0]", are you saying that you essentially ignored the email that Claude Wehrle was sending you about

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Euroclass B being downgraded to class E, because you thought that in the UK the only thing that mattered was national class 0 ?
A. Yes, which was the BBA document.
Q. I see.

Now, we've seen that the BBA certificate says not only that standard PE Reynobond 55 may be regarded as class 0, but it also stated that Reynobond PE had Euroclass B. We saw that yesterday; yes?
A. Yes.
Q. When you received this email, did it not occur to you that the BBA certificate did present Euro tests as relevant to the UK market because it formed the basis on which it was stating that the product may be regarded as having class 0 ?
A. No, it didn't.
Q. When you saw this email, did it not occur to you that although the BBA certificate from 2008 said that standard PE had a Euroclass B, that certificate could no longer be relied on, because --
A. That didn't occur to me.
Q. Why is that?
A. I don't know. It $--I$ can't answer that. It didn't occur to me.
Q. If the one thing that you were relying on was the
A. I can't remember.
Q. You say at the bottom of the page in the statement that we've just been looking at that you don't recall ever being specifically asked to send or highlight this report to customers.

Was it not reasonably clear to you at the time when you received this information from Mr Wehrle that it was being sent to you for you to do something with?
A. At the time, no, I didn't think it was relevant to the UK. It wasn't very specific in what it was asking to do.
Q. Did you check with Mr Wehrle or your line manager whether you should do anything as a result of being given this information?
A. I don't remember.
Q. Did you check and ask them whether it applied to you?

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## A. I don't remember.

Q. Did you just simply take it on yourself to ignore it without seeking any advice or instruction or guidance or help from those senior to you at Arconic?
A. Yeah, I don't recall what I -- what action I took at the time.
Q. Well, on the look of it, you just sat on it ; is that right?
A. Yeah, I don't recall what action I did or didn't take with it.
Q. Now, at this point - this is early February $2014--$ you have been sent the Grenfell Tower NBS spec and you have quoted for Reynobond PE 55, you know from what you learnt in the spring of 2013 about the dangers of the use of PE-cored rainscreen panels on high buildings, and you are now being told that the PE, rivet or cassette, was no longer class B but class E. Surely, putting those two facts together, this would have indicated to you that not all was well with continuing to use Reynobond 55 PE, whether rivet or cassette, on a high-rise building?
A. I honestly can't recall having made those -- pulling that information together in the way that you're explaining it.
Q. Did you address your mind to how it could be that
A. Yes.

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Q. Why did you not send a similar message to a similar group of fabricators with whom you routinely worked that Reynobond 55 PE had been downgraded from class $B$ to class E?
A. I don't know. Again, I can only think it was because I didn't associate it as being relevant in terms of the BBA.
Q. Why did you not simply send them the information and leave it for them to decide what to do with it or what questions to ask about it?
A. I can't answer that question, I don't know.
Q. In order not to send it on, did you make a positive decision not to send it on to customers?
A. No, I wouldn't have done that. I generally don't think - as I say, I don't know why I didn't.
Q. You don't know why you didn't?
A. I don't know what I did with it and I don't know - - if I didn't, I don't know why I wouldn't have done it.
Q. You see, the reason you give in your statement is that the reason you didn't do it is because you didn't think the European classes had anything to do with the UK market and that it had a national class 0 . Is that not the reason, or is there another reason?
A. Yeah, I've already said that is the reason for not sending it out, and I wouldn't have seen the relevance
if you like, in circumstances where it had tested only
to class $E$ in the Euro system and was no longer class B?
A. No, I just didn't have enough knowledge about it and put it together.
Q. Is the reality that you kept this to yourself because you realised that it would damage your sales and in fact damage your market sufficiently if it became known that Reynobond 55 PE with a PE core, whether rivet or cassette, was class E?
A. No, absolutely not.
Q. And therefore couldn't be used above 18 metres?
A. No, absolutely not.
Q. You say, "Absolutely not"; why are you so convinced of that?
A. Because -- well, we didn't have a big enough market for it to be that damaging, to be honest. We didn't sell huge amounts and that certainly $--I$ most definitely would not have been doing that for that reason.
Q. We saw with your May 2013 email about the UAE fires that it was entirely possible for you to send important messages about fire safety in relation to products you were selling to your key fabricators. We saw that, didn't we?
Q. But it is something you did do, because you didn't send it to them, and that --
A. Well, I didn't --I'm not necessarily agreeing that I would have made a positive decision not to send that. I don't know why I didn't, but it wouldn't have been for that reason. That's not the way that I work.
Q. Right.

Let's discount one thing. Can we discount that you didn't fail to send this document to them by accident, you didn't just forget about it? Can we discount that?
A. Yes.
Q. Right. So, therefore, when you didn't send it on to customers, you must have made a positive decision not to do so?
A. Again, I can't recall why I wouldn't have sent it on, whether it was a positive decision for whatever reasons for not sending it on, I don't know why I didn't send it on.
Q. Even though this document -- well, you must have realised that this document had significant ramifications, consequences in terms of the fire safety of the material you were selling?
A. Again, I'm not sure that I fully understood that at the time, no.
Q. Well, okay, what did a downgrading from class $B$ to
A. I wouldn't - - I don't know. I can't recall what it would mean. I didn't have enough knowledge of all the clarifications to have been able to make that call.
Q. Nonetheless, it would have surely meant to you that there was a downgrade and it was less safe than had been previously thought. Is that not the obviously take-away from what this is telling you?
A. Yes.
Q. Given that that very simple message, it's not as safe as we thought it was, was being communicated by Mr Wehrle to you, why did you not simply communicate that very simple message, "It's not as safe as we thought it was", to your customers?
A. But, again, I don't - I can't recall whether I did or didn't send it on to those customers. I have no recollection of whether I did or didn't send it on to anybody.
Q. We do know that others in Arconic - - and I won't go into the details with you -- did send this information on to their customers. We've seen that Julie Kasyanik sent this message on to customers in Sweden, and Gwenaelle Derrendinger also passed this information on to her customers. You appear to have been a lone voice or lone non-voice in this exercise. Are you able to
explain why that is?
A. No, I can't.
Q. Can we go to Gwenaelle Derrendinger's evidence about this, or rather an exhibit to her statement, which is at \{MET00053159/282\}. We can see here that she has sent an email dated 3 February 2014, so the same day -in fact, accounting for the time difference, within minutes -- and she sends this email to Jaymes Bulman at Taylor Maxwell, with whom I think you then became employed.
A. Yes.
Q. The subject is "New fire European fire class for Reynobond PE":
"Dear Jaymes,
"As spoken with Debbie last week on the phone please find enclosed the new fire reaction test report for Reynobond Architecture PE in accordance with EN 13501 Norm.
"We remain at your disposal ..."
Now, there is an attachment to this email, you can see from the email itself, and it's identified as the Anglais version, the English translation of that 31 January test, take it from me that that's what it is, which classified all PE, as we've seen, as class $E$.

You deal with this email in your second statement at
page 14 \{MET00053162/14\}, if you can just look at that, please, and go, please, to paragraph 48.3. You say there:
"Also on 3 February 2014 I was copied into an email from Gwenaelle Derrendinger to Mr James Bulman. Mr Bulman was a sales representative at Taylor Maxwell. The email appears to follow a conversation that I had with Mr Bulman the previous week although I do not remember the conversation. Gwenaelle attached to the email the 'new fire reaction report for Reynobond Architecture PE in accordance with ENJ3501 Norm'. Looking at that attachment now I can see that it is the same document that Claude Wehrle had circulated that same day. Again, I do not recall any discussions about this at the time."

And then you exhibit the email.
You're not saying, are you, that you had no
discussions at all with Mr Bulman and Ms Derrendinger, you just can't recall one way or the other; is that your evidence here?
A. No, I can't recall it, no.
Q. You can't rule out that you did have a discussion with Mr Bulman?
A. No, I can't rule it in and I can't rule it out, because I don't remember.

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## Q. You just don't remember one way or the other?

A. I don't remember one way or the other.
Q. Now, you're copied in on this email, and it looks from the email -- well, let me ask you this: Jaymes Bulman was in the UK, wasn't he?
A. Yes, he was.
Q. And I think we saw from the slideshow that Taylor Maxwell were very much part of your UK marketing strategy, weren't they?
A. Yes.
Q. Yes. What was your relationship with Taylor Maxwell at this time?
A. They were a customer. I was working with them. They were going out and dealing with architects on specifications.
Q. In the UK market?
A. In the UK market.
Q. Now, as we see, you're copied in on this email, and it looks as if you talk to Jaymes Bulman -- you can't recall now, but it looks from this document that you did -- and you can see that Gwenaelle Derrendinger had forwarded that information, the specific report indeed, on to Jaymes Bulman. She clearly thought that it was relevant to the UK market.

Why did that email or possibly the conversation that widely among your customers. Can you explain that?
A. No, I can't. As I say, I can't remember whether I did or didn't send it over to other customers.
Q. Now, you said in your witness statement that it's up to designers, you say, to make decisions about using Reynobond products.

Just to repeat a pair of points I put to you a few minutes ago, you knew by this stage, early
February 2014, first that there had been fires in the UAE involving PE-cored ACM; yes?
A. Yes.
Q. You knew that those fires were on tall buildings; yes? A. Yes.
Q. You knew that Reynobond PE had been reclassified as class $E$ down from class $B$, and you had been told that by your superiors or line managers at Merxheim; yes?
A. Yes.
Q. How would you expect, in those circumstances, a designer to make a decision about whether or not to use Reynobond PE, when you hadn't provided them with that information
about the downgrading?
A. Well, it would have been difficult for them.
Q. Yes. Isn't the reality that, in failing to update your customers about the European classification tests, it was you who decided that it wasn't relevant to them, rather than leaving it to them to decide whether the information that you were giving them was relevant to them?
A. Well, as I say, I can't remember whether I did or didn't send that information out to them.
Q. It was you who decided that only national class 0 mattered and that Euroclass was irrelevant; is that right?
A. The information we were always asked for was for the BBA certificate, not for any European certificates.
Q. You made a decision on that basis to withhold from your customers something that you knew they didn't know, and therefore you deliberately limited the information made available to them on the basis of which they could make their choice; do you accept that?
A. I didn't deliberately withhold that, no. I was clearly not understanding enough about what I was and wasn't passing on, but I didn't deliberately hold back anything.
Q. Do you realise that not a single person who has given
Q. Would you have had any input into it, do you think?
A. Doubtful.
Q. Who was it who did, do you know? You don't know?
A. I don't know.
Q. If we go, please, to page 36 in this document
\{MET00053158_P07/36\}, we can see, under "2014", there is
a set of bullet points.
I just want to give you a little bit more context to this, if you go back to the previous page \{MET00053158_P07/35\}. The previous page is "2013 Highlights", and it says:
" Team involved on support of R\&D projects
" - Mechanical process analyze of NPD (Mechanical behavior, transformation, fire class ... etc ....)
". Preparing technical datasheets with Marketing dpt
4
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"2014":
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"2014":

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"2014":
    "Adapted technical tool .... Accessible from
    "Adapted technical tool .... Accessible from
    "Adapted technical tool .... Accessible from
    everywhere."
    everywhere."
    everywhere."
    What is that a reference to, do you remember?
    What is that a reference to, do you remember?
    What is that a reference to, do you remember?
A. I don't know, I don't recall it .
A. I don't know, I don't recall it .
A. I don't know, I don't recall it .
Q. "New technical training for the sales team."
Q. "New technical training for the sales team."
Q. "New technical training for the sales team."
    Did that include you?
    Did that include you?
    Did that include you?
A. It -- I was the -- part of the sales team, so it would
A. It -- I was the -- part of the sales team, so it would
A. It -- I was the -- part of the sales team, so it would
    have included me.
    have included me.
    have included me.
Q. Did you get any new technical training?
Q. Did you get any new technical training?
Q. Did you get any new technical training?
A. I don't remember getting any technical training.
A. I don't remember getting any technical training.
A. I don't remember getting any technical training.
Q. "Updating for existing certifications ."
Q. "Updating for existing certifications ."
Q. "Updating for existing certifications ."
            Did you get any updating for existing
            Did you get any updating for existing
            Did you get any updating for existing
        certifications, apart from the email we saw from
        certifications, apart from the email we saw from
        certifications, apart from the email we saw from
        Mr Wehrle?
        Mr Wehrle?
        Mr Wehrle?
A. Yeah, I can't recall.
A. Yeah, I can't recall.
A. Yeah, I can't recall.
Q. Then it says:
Q. Then it says:
Q. Then it says:
            "New certification for new countries, new
            "New certification for new countries, new
            "New certification for new countries, new
        markets ..."
        markets ..."
        markets ..."
            Then there's a plea:
            Then there's a plea:
            Then there's a plea:
            "Please .... The person in charge of a country
            "Please .... The person in charge of a country
            "Please .... The person in charge of a country
        and/or market has to check the certifications and
        and/or market has to check the certifications and
        and/or market has to check the certifications and
        qualifications needed to sale ...
        qualifications needed to sale ...
        qualifications needed to sale ...
            "Impossible for a project but .... Check and ask in
            "Impossible for a project but .... Check and ask in
            "Impossible for a project but .... Check and ask in
        order to ... Anticipate."
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        order to ... Anticipate."
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        order to ... Anticipate."
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" - Day to day business - Answers to ...
"Inside sales, Outside sales, Architects,
Fabricators, Distributors, Customers of customers of
customers of customers of .... our customers ...."
Was there any discussion that you recall at this
sales meeting about transmission of fire class
information through the sales teams out to architects,
fabricators, distributors and customers, customers,
customers, et cetera?
A. I don't recall this, no.
Q. It looks on the face of it -- just help us -- that sales
teams were expected to be familiar with things like
mechanical behaviour, transformation, fire class, in
order to be able to answer questions; is that right?
A. Yes.
Q. Or at the very least, even if not completely equipped to
answer all technical questions, able to understand the
questions and know to whom to pass them internally; is
that fair?
A. Yes.
Q. And then to understand the answers when they came back
from the technical sales support team.
A. Yes.
Q. Let me look at the page I was wanting to go to, page 36
\{MET00053158_P07/36\}, page 4 internally, which says
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" - Day to day business - Answers to ...
"Inside sales, Outside sales, Architects,
Fabricators, Distributors, Customers of customers of customers of customers of .... our customers ...."

Was there any discussion that you recall at this sales meeting about transmission of fire class information through the sales teams out to architects, customers, et cetera?
A. I don't recall this, no.
teams were expected to be familiar with things like mechanical behaviour, transformation, fire class, in order to be able to answer questions; is that right?
A. Yes.
answer all technical questions, able to understand the questions and know to whom to pass them internally; is that fair?
A. Yes.
Q. And then to understand the answers when they came back from the technical sales support team.
A. Yes.
\{MET00053158_P07/36\}, page 4 internally, which says
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Did you hear that message at this sales meeting?
A. I don't recognise it, I don't remember it.
Q. Did you understand even vaguely, or remember even vaguely, that it was expected that you, in charge of UK sales and the UK market for Reynobond 55, had to check the certifications and qualifications needed to make a sale?
A. I don't remember that, no.
Q. If you had, as it says, checked the certifications and qualifications needed to make a sale of Reynobond 55 PE core standard in the UK, you would have realised straightaway that the European fire classification for that product had been downgraded from B to E, wouldn't you?
A. Yes.
Q. You would also have realised that the European classification system was relevant in the UK, again not least because the BBA certificate cited the European classification as the basis for the conclusion that it could be regarded as class 0 ; same again?

## A. Yeah.

Q. Yes.

I'm going to turn to the BBA certificate again, and this time in the context of the Grenfell Tower project.

Can we please go to $\{$ CEP000000281 $\}$. We are now at
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April 2014, and this is an email from you to Mark Harris of Harley on 23 April 2014 at 13.37, copying
Mike Albiston and Geof Blades, subject, "Planning -
Rainscreen cladding samples/material". You can see from the attachments that there are a number of them, including a safety datasheet, warranty specimen, cleaning recommendations, colour charts, et cetera. But the first document that you attach is the BBA certificate 08/4510; do you see that?

## A. Yes.

Q. Let's go to the attachment. It's a document we looked at before, it's the BBA certificate. We can look at it either at $\{B B A 00000047\}$ or at $\{C E P 000000282\}$, I don't mind which we pick. We have gone for BBA.

You can see the certificate. We looked at it yesterday. If we go to page 5 \{BBA00000047/5\}, please, we can see at section $6.1--$ we covered this yesterday, so I'm not going to take you through it all over again:
"A standard sample of the product with a grey/green Duragloss 5000 coating, when tested for reaction to fire, achieved a classification of $B-s 2, d 0$ in accordance with EN 13501-1:2002."

Where it says that it had a classification of $B$, that was wrong, wasn't it, when you sent this document to Mr Harris at Harley?

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A. Having seen the way that you've described it all now,
    yes.
Q. At the time you sent this BBA certificate, the European
    classification was not B but E, wasn't it?
A. Yes.
Q. And that was so regardless of whether the panels were
    rivet or cassette; yes?
A. Yes.
Q. There would be no way, would there, for Mike Albiston or
    indeed Geof Blades to know that, would there, reading
    the certificate that you were sending them?
A. No.
Q. It would have been very easy for you, wouldn't it, in
        your covering email to say that the BBA certificate was
        no longer up to date and that the European
        classification for Reynobond PE panels was no longer B
        but E? It would have been, wouldn't it, easy for you to
        do that?
A. It would have been, but I don't think I'd associated the
    two again, and I was - - if the BBA wasn't relevant,
    I would have expected for it to have been withdrawn.
Q. Right. But you're presenting this document which
    contains a statement at paragraph 6.1 that was in fact
    wrong, as you say, and you'd also been told by
    Claude Wehrle that this standard sample of a product no
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    longer had a \(B\) but an \(E\).
        My question to you is: why didn't you simply put in
        your covering email, whether or not you thought it was
        relevant, that that part of the BBA certificate was no
        longer current because it had now achieved
        a classification of \(E\) ?
A. I don't know. I didn't associate the two together, as
        I say.
Q. You say you didn't associate the two together; this
        certificate that you were sending exactly associates the
        two together because it cites a Euro classification
        of B.
A. Yeah, I see that now, but I don't think I pulled --
        I don't think I put the two together at the time.
Q. Can you explain why that is, given that this
        certificate, which was the lynchpin of your sales, as
        you have told us repeatedly, expressly states that
        Reynobond PE as standard had achieved a B, which was
        something that by this time you knew to be wrong?
A. I would have expected to have had something from
        Merxheim to say that the BBA wasn't then relevant.
Q. Can we look at your first witness statement at page 3
        \{MET00019063/3\}, please, and I would like to look at
        paragraph 8. Page 3 at the top is part of the way
        through paragraph 8, but I want to just look at what you 161
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A. I would have expected to have had something from
Q. Can we look at your first witness statement at page 3 \{MET00019063/3\}, please, and I would like to look at through paragraph 8, but I want to just look at what you
say four lines down from the top of the page there.
You say:
"I occasionally also pointed to the British Board of Agrément ('BBA') Certificate for the Reynobond architectural wall cladding panels, number 08/4510, and would provide a pdf copy if asked."

Do you see that? You then go on to say:
"However, I would point out that I generally worked with five or six fabricators and once they had received this BBA Certificate on a project it was very rare that they would ask me for it again on other projects."

Just pausing there, does that mean that you thought at the time that fabricators like Geof Blades,
for example, at CEP would think that the BBA certificate was still valid unless you pointed out errors to them?
A. Yes.
Q. Wasn't that all the more reason for you to highlight the change in classification ?
A. As I say, I would have expected that to have come from Merxheim, that the BBA was no longer valid.
Q. But you would have known it was no longer valid, or at least to this extent, because you had two things in your hands: you had the BBA certificate saying \(B\) and you had the email from Mr Wehrle saying E. Why did you need anything from Merxheim to be able to go to your customer

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and just qualify the email by reference to the fact that it was no longer \(B\) but \(E\) ?
A. As I've said, I don't think I - - at the time I don't think I associated the two together, and as there wasn't a specific instruction that the BBA wasn't valid, I was clearly operating on the fact that it still was.
Q. Leaving aside CEP, who may well have had a certificate from them in years previous, this was the first time,
I think, that you were dealing directly with Harley, wasn't it?
A. Yes.
Q. Yes. Given that you were now dealing directly with

Harley here on the Grenfell Tower project for the first time, and sending them this certificate for the first time, was that not absolutely the occasion on which to tell them that, "This certificate is dated 2008, but we've just had a recent new test on PE which says it's class E"?
A. As I say, I wouldn't have associated the two together at the time and was obviously working that the BBA was still valid.
Q. Do you accept that, had you alerted them to the fact simply that \(B\) was wrong and it was now \(E\), you would have equipped them, you would have enabled Harley, to ask you the next question, which was how standard PE could be
A. They would have had better information, yes.
Q. Yes. And do you accept that by providing the BBA certificate to Harley as you did here, without any qualification or caveat as to the fire classification of standard PE, you allowed Harley to think that standard PE, rivet or cassette, had a Euroclass B when it did not?
A. As I say, I hadn't associated the two at the time, and therefore I would have expected the BBA to have been withdrawn at the same time as that email had come out.
Q. Yes, that's not quite an answer to my question. My question is, just looking at your dealings with Harley: do you accept that, by providing this BBA certificate to Harley at this time, without any qualification or any caveat as to the fire classification of Reynobond 55 standard PE, you allowed Harley to think that standard PE, rivet or cassette, had Euroclass \(B\) when it didn't?
A. Yeah, that's because that's what's on the BBA, yes.
Q. And thereby to think that, because it had Euroclass B, it may be regarded as having national class 0 ?

\section*{A. Yes.}

MR MILLETT: Mr Chairman, is that a convenient moment?
SIR MARTIN MOORE-BICK: Yes, Mr Millett, I think it is.

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We will have a short break now, Ms French. We will
come back at 3.30 , please, and please remember not to talk to anyone about your evidence while you're out of the room. All right?
THE WITNESS: Okay. Thank you, sir.
SIR MARTIN MOORE-BICK: Thank you very much. 3.30, please. (3.16 pm)
(A short break)
(3.30 pm)

SIR MARTIN MOORE-BICK: Hello, everyone. Welcome back. I'm going to ask Ms French if she can see me and hear me again.

Are you there, Ms French?
THE WITNESS: Yes, I can see you and hear you, thank you, sir.
SIR MARTIN MOORE-BICK: Good, thank you very much, and you are ready to carry on, are you?
THE WITNESS: Yes, I am.
SIR MARTIN MOORE-BICK: Right, thank you.
Yes, Mr Millett, then, when you are ready.
MR MILLETT: Yes, thank you, Mr Chairman.
Ms French, welcome back.
Can I just ask you, please, to look at the email
chain again in April 2014. This is at \{CEP000000281\}.
Just looking at it again, at this time, 23 April 2014,
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do you remember, or do you know, that at this point Rydon had been appointed the preferred bidder, but the cladding had not yet been finalised?
A. I couldn't -- without checking through documents, I wouldn't be able to confirm that one way or another. Q. All right.

Now, if we go to the very bottom of page 1 in this email run, you will see that there is an email from Mark Harris to you on the day before the day you sent him the BBA certificate, 22 April, copied to
Mike Albiston, and he says, "Hi Deb", and then in the fourth paragraph down, he says:
"As you can see, the architect is now looking at other options, however, Rydon do not want to increase the cost plan by a single penny being that we are already in a V/E phase. Before I start ordering up a myriad of samples again, can you give me your guide on which of the listed colours would be more expensive than the 'standard' range. This will hopefully help us to try and get the architect to focus on what can be afforded within the current cost plan, rather than going off at a tangent!!"

Do you recall that the project was undergoing
a value engineering exercise at that time?
A. That wouldn't have been something I would have been

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involved with, but a lot of projects go through a VE, so possibly.
Q. Right. And you're certainly being told that here, aren't you?
A. Yes.
Q. Did you know that cladding, the choice of rainscreen material, was central to that exercise?
A. No, it didn't.
Q. It looks from this, and did you understand from this, that the employer might not have been able to afford options other than ACM?
A. No, that's not information I would have had.
Q. Were you alive to the idea, even if not the fact, that Rydon, as a newly appointed contractor, might not want to increase the price with more expensive material?
A. No, again, that wouldn't have been something that I would have been involved with.
Q. Right.

Now, we have seen the price that you quoted in early 2014, which was \(£ 28\) per square metre, and we've seen the evidence of Mr Schmidt earlier about the price differential between PE and FR at the time of the supply to Grenfell Tower on that project, we can go back to it if you like, but do you remember he said that the differential is around €2 per square metre for PE over
FR?
A. Yes.Q. Now, that's of course the supply to fabricator. That's
        the price -- is that right? -- on supply to the
        fabricator, who would then add their own charges for
        fabricating the sheets into cassettes and rivets, as the
        case may be.
A. That's right.
Q. And then is it right that the fabricator would then add
        those charges and then pass those on to the cladding
        contractor, and the cladding contractor would add their
        charges and so on up the chain? Is that how it worked?
A. I believe so, yes.
Q. Right.
        Looking at your end of things, the very bottom of
    the chain, if I can put it that way, there isn't a huge
    difference, is there, in price between PE and FR-cored
    ACM?
A. No, there was not, but again, from my recollection from
    the UK, there was somewhere round about €4 to \(€ 5\), we
    would price it €4 to €5 difference.
Q. Right.
        Peter Froehlich in his statement at paragraph 48,
    page 17 \{MET00053197/17\} -- and I don't need to take you
    to it unless you want me to show it to you -- says in
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    terms of the price difference in relation to the supply
    to Grenfell Tower, the cost to CEP for the raw fabric in
    FR-core form would have been around \(€ 14,000\) more than in
    PE-core form, based on a rounded supply figure of
    7,000 - odd square metres.
        Is that a figure that you would agree with?
A. I would have to work that back to what it would be
    a square metre.
Q. Yes. It may not be an accurate number, but that's the
        sort of range of difference he has identified for this
        project, \(€ 14,000\) as the cost difference between PE core
        and FR core. Would you agree with that even in round
        terms?
A. I would have probably said so more on the European market, but not necessarily on the UK market.
Q. What do you mean, more on --
A. My understanding is we were selling FR in the UK, and we didn't sell an awful lot of FR, was that the prices were more than \(€ 2\), roughly \(€ € 2 / 2.50\), they were more like sort of \(€ 4\) a square metre difference.
Q. So you say that in your experience, being at the front end of things, the difference wasn't \(€ 2\) but \(€ 4\), by which PE was cheaper than FR?
A. Yes.
Q. I see, okay.1

So on the footing of a rounded supply of 7,000-odd square metres on the Grenfell Tower project, that would mean a total price difference between PE and FR of, say, \(£ 28,000\) or even \(£ 30,000\). That's about it, isn't it?
A. Yes.
Q. If that was the price differential, why didn't you just supply the FR product as a standard product?
A. I can't answer that question, I don't know.
Q. Why didn't you offer the FR product?
A. I don't recall whether I did or didn't offer FR, but the information that I -- the quotations that we pulled together don't specify FR or PE.
Q. That is right, and my question -- I'll just ask it again -- is why didn't you specifically offer a choice between the FR and the PE variants, or core differences, and leave it to Harley or Rydon or the ultimate client to decide whether they were prepared to spend the extra money on FR?
A. I don't know. We just automatically quoted PE as a core rather than FR. There's no other reason for it . There's no reason not to have quoted it.
Q. No.

This automatic or default to PE, was that something that was ever discussed internally at Arconic, to your knowledge?

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A. My understanding when I first took over was the general market was PE and everything was PE.
Q. Yes, but was that ever discussed? Was this default or knee-jerk habit of just selling PE, not ever giving customers a choice between PE and FR, ever actually discussed, either at sales meetings or even more privately as between you and Mr Froehlich or you and anybody else you dealt with at Arconic at Merxheim?
A. I don't believe so, I think it -- no, I don't believe so.
Q. Let's then turn to the time when Rydon were appointed to be the preferred bidder in and after the spring of 2014 up to September of that year, when the RBKC planners finally agreed the cladding. I say finally ; formally agreed it.

Do you remember that planners had to be convinced that ACM would be suitable on Grenfell Tower?
A. No, I didn't.
Q. Do you remember whether there was any uncertainty at all about what colour ACM would be chosen?
A. No. Again, I wouldn't have been that clear - - apart from the fact that we were supplying an awful lot of samples, which would have intimated that they were unsure which one they wanted.
Q. Exactly, so you knew there was uncertainty about what
they wanted, or some discussion, at least, about the colours they were after, you knew that much?
A. Yeah, there was a lot of samples requested, an awful lot of colours, lots of discussions about colours.
Q. Did you know that the planners also had to be persuaded that the rivet-fix was acceptable?
A. No, I didn't.
Q. And indeed, as we know, in the end they agreed to Reynobond in smoke silver with a cassette fix. I think you know that.
A. I wasn't aware of that at the time.
Q. You weren't?
A. So -- no, sorry, I was aware of that at the time because I remember seeing an email from Harley, I believe. It might have been CEP.
Q. Yes. So looking at it slightly more broadly, did you know at the time -- and when I say at the time, I mean during the period April to September 2014 -- that there was a debate as between Rydon and Harley on the one hand, perhaps, and RBKC on the other about whether cassette-fix or rivet - fix should be used at Grenfell Tower?
A. No, I wouldn't have been party to that information.
Q. Right.

I'm going to take your actions during this period

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quickly and see if you agree, and if there is anything I'm missing out, please tell me.

You provided a number of samples during this period, didn't you?
A. Yes.
Q. We've seen the list of samples that you provided, which we saw at \(\{\) MET00019919 \(\}\). We looked at that earlier.

You also provided information and images to help the customers understand the difference between the look of rivet - fix and the look of cassette-fix; is that right?
A. I believe that some images were provided so they could see the difference between -- on the various colours. I can't remember whether it was specific to rivet-fixed or cassette.
Q. During you remember you sent, for example, photographs of other projects, like South Kilburn?
A. Yes.
Q. Do you agree that you also arranged for material to be provided for a mock-up so that the planners could consider the colours?
A. There was a mock-up -- material was requested for a mock-up by CEP, yes.
Q. Yes, and you sent the mock-up fabric to CEP for the mock-up, didn't you?
A. Merxheim sent that, yes.
Q. Merxheim sent it, and I think that was free, wasn't it, there was no charge for that?
A. I believe so.
Q. Would Arconic usually provide fabric for a mock-up free of charge?
A. They would, if we had the material around. Again, from reading the emails since, I think there was something wrong with that particular material in terms of the surface, so therefore they were able to provide it for free. But not all occasions, we would charge for it in some cases.
Q. Would you say that, looking at the things you said you did during this period, you were very active on this project at this particular time?
A. In providing samples, yes.
Q. And you worked hard for this sale, I think it's fair to say, isn't it?
A. No harder than I would have done others. I'm providing a service. I was just trying to provide the information that people needed.
Q. Right.

Did you know that Peter Froehlich had visited the UK and met CEP and also Harley?
A. Did I know?
Q. Yes.

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\section*{A. No.}
Q. He never told you that he had gone to the UK and met CEP and Harley, didn't tell you that after he had gone?
A. He came over to the UK on a couple of occasions, I took him round to see -- did you mean he went on his own or he was with me?
Q. Let's look and see what he says in his statement. Can we go to \(\{\) MET00053197/10\}, please, paragraph 37 . He says at paragraph 37 :
"I was aware that CEP and Harley were involved with the Grenfell Tower project and I attended separate introductory meetings at their respective offices. I cannot recall the exact date these meetings took place but I believe that it was before June 2014. The purpose of both of these meetings was not project specific but was rather to introduce me as the Product Manager for Reynobond and they were part of my general meetings with customers which took place once or twice a year. In terms of attendees at the CEP meeting, in addition to myself and Deborah French, Neil Wilson (CEP) was in attendance. I cannot recall who was present at the meeting with Harley. I understand that a visit report should have been created (as it would it be for meetings with customers) and I would expect that Deborah did this."

\section*{Then he goes on a little bit more to say:}
"I would normally have received a copy of this but I cannot recall if I received a copy for this particular meeting. I do not have any notes from these meetings, as when I attend meetings with sales representatives I do not normally make such notes as the representative does this."

Do you, in the light of that evidence there from Mr Froehlich, remember Peter Froehlich's visit to the United Kingdom that he describes here?
A. I don't remember that -- specifically going there, but he did come over on occasions to the UK and I did take him round over those periods to various customers and fabricators, so yes, very -- yes, that very probably happened.
Q. He recalls specifically a meeting at CEP at which you were present.
A. Yeah.
Q. Is he right about that?
A. I can't recall it but, yes, I'm not disagreeing with him.
Q. Okay.

He says that he recalls that the Grenfell Tower project was discussed, and a section drawing showing a level of an unidentified building was put out on the

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meetings with customers?
A. Initially, no, we weren't requested to do any of that. The CRM system was then being developed more and more at that point for us to be doing -- recording certain visit reports. I don't recall whether I did any for that particular meeting or not.
Q. By the time of mid-2014, was the system sufficiently developed whereby you were making notes of these meetings and creating visit reports?
A. Yes, I believe it was.
Q. And were you supposed to submit them to Merxheim?
A. No, I think they were held within the CRM - - they were generated through the CRM system and held in there.
Q. I see. So when you say they were generated through the CRM system, did you type your notes onto the system or did you create a report and then send that by email to somebody to input into the system?
A. No, it would have been generated into the system.
Q. Right. So have you any reason to think that it wouldn't still be there?
A. No, if I did one, there is no reason for it not to be there.
Q. If it's not there, where would it be?
A. I don't know.
Q. I see.

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Do you remember making a visit report for this particular meeting? I know you say you can't recall the meeting, but I will ask you whether you remember writing at least --
A. No, I don't. I don't recall whether I did one for that specific meeting or not.
Q. Do you remember writing any report of a meeting attended by Peter Froehlich in the UK in mid-2014?
A. No.
Q. Can we go then to a slightly different topic,
\{CEP000000443\}. This is a little bit further in time during 2014. This is an email chain at the end of July and early August of that year, and I would like to look with you at the bottom of page 1 of the email run. It 's an email from Simon Lawrence to Mark Harris, Rob Maxwell and Ray Bailey, copied to others at Rydon, and Mike Albiston at Harley. It's not copied to you at this point, but let's just look together at the first paragraph.

Three lines down, he says:
"The bottom line is that the client has just confirmed to planning that they are looking to proceed with the Reynobond Champagne colour (as shown on the mock-up) for the main body of the building and the cladding will be the 'cassette' fixing version."

Then if you look at the paragraph at the bottom of the page, it says:
"It is unlikely that the Planners will have any major issues with the above proposals as they have wanted 'cassette' fixings from the start. It may be wise not to order the champagne colour until we have \(100 \%\) assurance but you can certainly start getting things rolling. Full design can now start."

If we scroll up immediately above that, we can see Mark Harris forwards this email on to you the same day, 31 July 2014, and to Geof Blades. It goes to Geof Blades, it 's copied to you:
"Geof/Deb
"Copy for your interest ..."
Then if we go to the top of the page, we can see your response on 1 August to Mark Harris:
"Hi Mark
"It's getting exciting ... thank you for your hard work and perseverance in putting Reynobond forward. I think I owe you and Geof either lunch or dinner at some point.
"Debbs."
Now, at this point, is it right you must have been reasonably certain you had won the supply contract? Is that right?
A. Yes, it was definitely clear that that was -potentially that was the way it was going to go.
Q. Your email says, "Thanks for putting Reynobond forward":
"Thank you for your hard work and perseverance in putting Reynobond forward."

Were they instrumental in getting Reynobond specified, do you think?
A. In terms of the specification and -- yes, they would have been.
Q. Now, this email goes to Mark Harris at Harley and Geof Blades of CEP. Were you thanking both of them or only one of them?
A. Both of them, I would have been referring that to.
Q. So does this show your marketing strategy in action, namely good contacts with fabricators like CEP who would push your products directly to people like Harley?
A. Yeah, if Geof hadn't have introduced me to that then we wouldn't necessarily have been involved with it.
Q. Geof Blades made it clear in his evidence that he did not have a celebratory meal with you; is that your recollection?
A. Absolutely.
Q. Is this just a nice thing to say to a colleague?
A. Yes, I don't -- the only time I ever had anything with Geof was a coffee either -- in their offices.
A. Yes.
Q. Yes, and you were in a position to ensure that, as between FR core and PE core, the right product ended up on Grenfell Tower, weren't you?
A. My -- as I say, my knowledge is clearly not what it should have been.
Q. But you were in a position to ensure that as between those two cores, the right one, the appropriate one for

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Grenfell Tower, ended up on that building, weren't you?
A. Yes.
Q. How come PE was right and FR not right?
A. I don't know. As I say, my knowledge was not sufficient enough to have been able to have determined that.
Q. It's reasonably clear at this point, isn't it, early August 2014, that Grenfell was going to be clad in cassette-fix, although in fact the decision wasn't made for another month or two? But do you agree with that, that it was reasonably clear to you at this time that Grenfell was going to be clad in cassette?
A. Yes.
Q. Did you mention any particular risk with that fixing method as opposed to rivet to --
A. I don't recall doing that.
Q. Right. Is there a reason why not?
A. As I say, I think my knowledge was lacking in being able to do that.
Q. Can we go to your second witness statement, please, at page 18 \{MET00053162/18\}. I would like to look with you at paragraph 65. You say there:
"I would again repeat that I had left [Arconic's] employment over two months before the products were ordered for the Grenfell Tower refurbishment project. I therefore had no involvement in the final ordering or or the people with whom they contract." statement at paragraph 65 is wrong? that's -- that was my understanding. the information that they needed, yes.

\section*{it?} specification. have accepted them to be. than that. with you?
supply of products. I would also repeat that [Arconic] was involved only in the manufacture of a 'raw' product which it supplied to specialist fabricators and installers of cladding systems. [Arconic] was not involved in the design or specification of materials for building projects, that is done by [Arconic's] customers

Now, Ms French, having looked at your involvement in the project from March 2013 up to the later part of the summer of 2014, when the panels ultimately used were agreed, do you accept that what you say here in this
A. I wouldn't say it's incorrect, because at the time
Q. Is not the truth that you worked extremely hard over a number of years, with direct contact with CEP, Studio E and Harley, to make sure that Reynobond PE 55 was considered by the architect on the Grenfell Tower project and accepted by the RBKC planners?
A. I worked with CEP and Harley to provide them with all
Q. And that when you say that Arconic was involved only in the manufacture of a raw product which it then supplied, but not involved in the design or specification of materials for Grenfell Tower, that's just wrong, isn't

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A. No, we were only responsible for -- we were only responsible for supplying the raw materials. We didn't write the specification, we weren't involved in the
Q. And I would suggest to you that when you say what you say here, in all respects, this paragraph represents really an attempt by you to distance yourself from the choice of cladding materials made for Grenfell Tower, which in fact bears little relation to the facts as you
A. No, it's -- that's not the way that it was. It's -- as I say, my knowledge was clearly not what it needed to have been. Nothing was done in any other format other
Q. Now, you say you played no role in the design of the façade at Grenfell Tower; you say this essentially here, you have said it just now, you say it in other parts of your witness statement such as paragraph 82.

Did those in charge of design, whether it was Studio E or Harley or anybody in that chain, ever discuss or seek to discuss fire performance of cladding
Q. Did they ever seek to discuss the difference between PE
and FR core, so far as they knew it existed, with you?
A. Not that I can recall, no.
Q. Did they ever seek to discuss the difference between rivet and cassette-fixed in terms of fire safety with you?
A. No, not that I can recall.
Q. Did you ever wonder why nobody on this project ever asked you about fire performance in relation to cassette-fix or rivet-fix?
A. No.
Q. Did you ever wonder why nobody ever asked you about the difference in fire performance between FR and PE?
A. No.
Q. How did that lack of questioning compare with your other customers that you had dealt with over the years up to 2013 and 2014?
A. As I've said previously, there was very, very few questions asked about the differences between the cores or fire - related questions. There may have been one or two over the years, but very, very, very few.
Q. So are you telling us that Harley's and Studio E's and Rydon's incuriosity about fire performance of the cladding that you were providing them was not out of the ordinary in your experience as it was at the time?
A. Yes, that was more normal than unnormal.

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Q. I just want to ask you about an email involving a gentleman called Serge Wahler. Have you heard the name Serge Wahler?
A. Yes, he headed up Reynolux in Merxheim.
Q. Yes. Can we look, please, at \{MET00053158_P10/108\}. This is an email chain from October 2014, and you are not copied, so I'm going to assume that you didn't see this at the time, but I do want to ask you about one or two things in it.

Serge Wahler, as I think you said, headed up Reynolux in Merxheim. He was in fact, I think, the sales manager for contracts and export. That's at least according to his signature in the email at the top of the page. Would that be right?
A. Yes. My understanding was it was just with Reynolux material, though, not anything else.
Q. I see.

If you look at the subject of the second email down from the top, let's just look at that email, it's from Denk Guenther of PREFA to Claude Wehrle, copied to Philippe Vonthron, Serge Wahler and Mike Bucher, and the subject matter is "PE oder FR in England". The question is:
"Hi, Mr Wehrle,
"Due to the circumstances, we need your help with

Reynobond in England.
"The question is:
"When and for which building classes should the PE or FR core be used in England?
"We are supposed to give the customer an answer by 12:00 noon today at the latest!
"Thanks in advance.
"Best,
"Guenther Denk."
If you then go up the page, 108, we can see that Serge Wahler replied on the same day, copied to Claude Wehrle:
"Hi,
"You can do everything with PE in England. As we have customers there, can you tell me what you want to do in England?
"Thanks in advance!"
I should have noted the date, this is 17 October 2014.

If you go to the bottom of page 107
\{MET00053158_P10/107\}, we can see Claude Wehrle's response, sent only to Serge Wahler, it's an internal message:
"Be careful, this is not the case.
"Debby pushes hard for the PE prescriptions, but
everything is moving to FR (from the British Standard to the European Norms)
"Did you call him?
"Analyses of past figures are not necessarily correct."

Immediately above that still, we see Serge Wahler responding to Claude Wehrle on the same day,
17 October 2014, and he says:
"Claude,
"I called her, and she confirmed that so far, only PE is used regardless of the project, no specific legislation.
"A customer at Prefa is delivering a construction project in London and wanted to know."

Then if you go above that on page 107, we can see that Mr Wehrle goes - - well, it's not a response to him, but it seems to come three years later on 16 June 2017, that is two days after the Grenfell Tower fire, but it's next in the email string:
"Serge,
"Remember.... be careful with this kind of communication to PREFA.
"Claude."
Now, if you go to the top of page 107, there is an email the same day, 16 June 2017, and he says, this
is Mr Wahler back to Claude Wehrle:
"Please note, I have not answered any more questions about RB for months now, assuming that I no longer know anything about the product.
"That being the case, I thought Debbie was logically the person who was best informed, and I stupidly repeated what she told me ( 1 am very good at doing that !!!!)."

Now, my first question is, having shown you the whole of this email run: do you remember this discussion or any discussion with Serge Wahler on this --
A. No, I don't.
Q. Is what he says in his email to Claude Wehrle correct when he says that only PE is used in England regardless of the project?
A. Yes.
Q. Did you in fact -- I'm sorry.
A. Yes.
Q. Did you in fact believe that no specific legislation was in place governing PE?
A. I'm not sure I would have used that terminology that he's put in that email, but I would have -- if I'd have had that conversation with him, then I would have said that it was -- generally PE was being used.
Q. He seems to suggest to Claude Wehrle that you told him

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that there was no specific legislation. Did you say that to him or words to that effect?
A. I can't recall the conversation, so I can't confirm that one way or another.
Q. You did tell us on a number of occasions now that you would automatically supply or offer PE core in the UK, and that you had understood that the relevant classification for Reynobond PE in the UK was national class 0 .

Would that be consistent -- and I'm asking you really to comment -- to the best of your recollection, with what Serge Wahler is telling Claude Wehrle here?
A. Yes.
Q. This is in October 2014, so this is many months after you had been told by Claude Wehrle that PE was a Euroclass E.

Did you have any conversation with Mr Wahler at that stage about this subject?
A. Not that I can recall, no.
Q. Did Mr Wahler or Mr Wehrle, either of them, tell you, whether at this time or in this context, the PREFA request, that PE no longer had a Euroclass B, but only a class E and therefore couldn't be regarded as having national class 0 in the UK?
A. No, I don't recall that.
Q. Now, Claude Wehrle comments on this exchange in his witness statement. I just want to show you what he says about it. It 's at \{MET00053190/38\}, paragraph 132, please. If we look down the page, 11 lines down in that paragraph, you can see some italicised text where he is quoting from emails. About halfway down he says, by reference to his reply to Serge Wahler saying:
"'Be careful, this is not the case. Debby pushes strongly for prescriptions in PE, but everything is switching to FR (transition from British Standards to Euronorms) Have you called her? The analysis of past figures is not necessarily ok'."

So he is quoting from his own email we looked at a moment ago together. He then says:
"The last sentence meant even in the UK I expected there would in time be a transition to Euronorms."

He says that.
If we go over the page to page 39 \{MET00053190/39\}, still within this paragraph, 132, the first line there, he says at the top of the page:
"Whilst I did not have any detailed knowledge outside of France, I was aware that different jurisdictions would have different regulatory regimes regarding the end-use of ACM PE and that in some countries it was only allowed for certain uses or at
certain heights and with certain test results. I was not aware of the regulatory regime in the UK and did not want people within [Arconic], even in attempt to be helpful, to provide any opinion on the suitability of particular products for particular end-uses when they could not know the regulatory regime in that jurisdiction, how the product would be used as part of a wider system, or the nature of the particular building project."

Then if you go down four lines from the bottom, he says:
"My sentence that 'Debbie pushes strongly for prescriptions in PE' was intended to mean that Deborah French would internally, within [Arconic], make the point that the UK market was principally a PE market and that, whilst [Arconic] was seeking to transition towards FR and A2 products her customers predominantly requested PE."

Now, I've shown you a lot of that.
Is Claude Wehrle right that, at the end of 2014, Arconic was seeking to transition to FR core even in the UK?
A. I believe they were starting to move along those lines, but at that point I'd already handed my notice in and was in a transition period from it, so I wasn't
necessarily and completely aware of everything that they were doing at that time.
Q. Right.

Had you received a specific communication from
Claude Wehrle that your market should now start to transition from PE to FR and A2 products?
A. I don't recall receiving one.
Q. No. So how did you come to understand that that transition had begun?
A. I don't - I'm not sure. It may have been afterwards, once I'd left.
Q. Is he correct when he says that internally within Arconic you would make the point that the UK market was principally a PE market?
A. It always had been a PE market, and therefore that was the reasoning behind that.
Q. My question is --
A. Not for any other reason.
Q. My question is whether he is right to say that you internally would make that point.
A. I wouldn't say I stressed the point that it was a PE market, I said -- I would have been saying over a number of years that the majority of what we sold was PE. The records of the orders that had come in from the UK market would have shown that. There were very little FR

\section*{orders.}
Q. Is he right when he says that you internally within Arconic would make the point that your customers predominantly requested PE?
A. They certainly requested and ordered PE.
Q. Isn't it the case that you would offer PE, as you told us, automatically rather than them asking for it?
A. It would -- it could have been both cases, there were some that were PE and some were -- we would automatically supply PE, quotes for PE.
Q. I see. So when he says that you were saying internally that your customers predominantly requested PE, how are we to read that? Was it them asking for PE or them ordering it in response to you offering it to them? Which is it?
A. I don't know, because I can't answer for what he's written there.
Q. No, you can't, but what you can do is recall the facts. He's recalling the facts one way and I'm just putting to you his recollection of those facts.

I' II just try again: is he right when he recalls that, internally within Arconic, you would make the point that your customers predominantly requested PE?
A. Yes.
Q. Right. When he says "requested", is it the case that as
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a matter of fact they would predominantly ask for it and
you would respond, or is it the case that in fact you
would routinely offer it and they would just accept it?
A. I think it was probably a bit of both.
Q. He explains here, as you can see a little bit further up
the paragraph I read to you, that he didn't want people
within Arconic providing any opinion on the suitability
of particular products and particular end uses when they
could not know the regulatory regime in that
jurisdiction. Are you one of those salespeople whom
Claude Wehrle expected not to know the regulatory regime
in England and Wales?
A. Yes, I didn't understand the regime fully.
Q. Did you ever receive any instruction from Claude Wehrle
or anybody else at Arconic to offer no assistance or
opinion on whether Reynobond 55 PE could be used for
a particular project?
A. I don't recall
Q. Did you understand at the time that, even if you knew or
had good reason to suspect that PE was dangerous, you
were still not going to offer any opinion about it, but
would leave it to the client to decide?
A. I didn't have enough knowledge to be able to offer any
opinions and I can't ever recall being asked the
question.

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Q. Did you understand the instructions you had or at least the authority that you had in your job that you should simply sell what you could to whomever you could without troubling yourself to understand the fire safety regime which applied?
A. It was never thoroughly pointed out or I was given sufficient training to fully understand the fire implications. It's just not something I had a lot of dealings with.
Q. Right. You see, what Mr Wehrle appears to be saying here is that it was a policy of Arconic to make sure that salespeople such as yourself offered no opinion at all about the suitability of products for end uses because you couldn't be expected to know the regulatory regime. Was that the way you understood it?
A. Yeah. I mean, I wasn't aware that there was a policy to do with it, I'd not seen a copy of that policy, but I didn't have the knowledge to be able to do that and certainly hadn't got the training.
Q. So, so far as you were concerned -- is this right? - - it was a policy within Arconic that you as the salesperson for Arconic should sell what you could without troubling yourself about the regulatory regime?
A. Yes.
Q. And indeed without troubling yourself to understand
A. Ye
Q. Did anybody tell you that the UK might in time be
    transitioning to Euronorms, as he suggests?
A. I don't recall.
Q. Can we then turn to a little bit later in 2014, please,
which is the new classification in December that year,
and look at \(\{\) ARC00000397\}, this is a CSTB certificate
for a European classification of Reynobond PE,
number RA14-0339 under the European Standard 13501
"Commercial brand(s): REYNOBOND 55 PE (riveted system)."

You see that? And the issue date is 4 December 2014.

If we go to page 4 of this document \(\{\operatorname{ARC} 00000397 / 4\}\), we can see the classification : C. \(C-s 2, d 0\).

Do you remember seeing this document at the time or around about the time it was issued?
A. No, I don't.
Q. Can we go next to \(\{\) ARC00000395\}. This is another CSTB certificate for a European classification of Reynobond PE. This is RA13-0333, again under the European Standard EN 13501, and if you look down, again the date is 4 December 2014, you can see that at the bottom of

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the slide. This time, the commercial brand is
"REYNOBOND 55 PE (cassette system)"
If you turn to page \(3\{\) ARC00000395/3\}, you will see that the classification is \(E\).

Do you remember seeing this document at or around this time?
A. I don't. I don't recall it.
Q. Now, did anybody, to the best of your recollection, contact you or update you to tell you that there were now separate classifications of PE cassette and rivet - fix again in the European system, one \(C\) and one \(E\) ?
A. I really can't remember.
Q. Do you remember any discussion about these new classifications at the time?
A. I don't. As I say, I'd already -- I was literally a few weeks away from finishing, so I can't recall whether I would have been involved in that at the time or not.
Q. Indeed. And I think you left Arconic at the end of 2014, didn't you?
A. Yes, I did.
Q. And you left Arconic for a new role at Taylor Maxwell, didn't you?
A. That's right.
Q. I want to turn to that topic now.
A. Yes, he did.
Q. Is it right, he didn't come in for some months, I think May 2015? Is that right?
A. It was some months. I couldn't confirm when it was, but it was some months after l'd left.
Q. Did anybody ask you to give Vince Meakins some kind of induction or handover?
A. No.
Q. Do you happen to know whether Vince Meakins got any kind of handover from you or induction?
A. No, I can't answer that.
Q. You say in your statement at paragraph 12 that you may have spoken to Peter Froehlich or Gwenaelle Derrendinger as part of a handover process; did you do that?
A. I don't recall whether I did or not. It would have been in the early days of me leaving. I remember giving Vince some product information that I'd got left over.

He had everything that I'd got, product information, brochures and some samples, I think.
Q. So you gave him the BBA certificate, did you, among other things?
A. No, I didn't give him any documents, I just gave him physical hard copies of brochures and some samples, I believe.
Q. I see.

When you were leaving, did you have any kind of exit interview?
A. No.
Q. A download of what you knew so that that could be passed on?
A. No.
Q. Right.

You say you left some brochures behind; were those up to date, to the best of your knowledge?
A. I don't recall what the dates were on them.
Q. Now, Peter Froehlich says that between January and May 2015, he took a more active role, besides Gwenaelle Derrendinger, in the UK, more so than would normally be the case, and assisted with ensuring that UK sales enquiries were dealt with.

Was that something that you can tell us about or had you left by the time that he started doing that, do you
think?
A. He certainly wasn't doing that while I was there.
Q. Right.

Do you remember whether Arconic customers were told
that they could continue to contact you in the event of
any queries in respect of projects that you were handling at the time of your departure?
A. No, I certainly didn't have any contact with those customers after l'd left.
Q. Right.

You see, Mr Froehlich says in his statement - - it's
paragraph 39 on page 11 \{MET00053197/11\} -- that you
would act as an interim contact for UK sales and would
direct customer enquiries and business through
Taylor Maxwell to Arconic. Is that right?
A. Well, Taylor Maxwell were buying through a fabricator at the time, so that would have been the only reason. I certainly wouldn't have been involved with them for any other reason; I'd left their employment.
Q. Yes, but although you had left their employment, did you not continue to act as a source of information for ongoing projects that you had left behind?
A. No, I think there was one or two questions in the very, very first couple of weeks that they may have asked me one or two questions about things, but I can't recall

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what they were. But certainly no more than that. I'd got a new job to do, it was ... no, I wasn't involved in anything else.
Q. Did you meet Vince Meakins?
A. I'd met him on a couple of occasions. I met him to -I met him at one of the fabricators, I believe, for a meeting, and that was to do with some Taylor Maxwell work, and I obviously met him to hand over the brochures.
Q. Right. Was that meeting when you handed over the brochures presumably in May 2015, after he had arrived, some months after you had left?
A. It would have been after he'd arrived, yes.
Q. Where were the brochures in the meantime? Were they kept in your office at home or had you given them to somebody at Arconic to look after pending Mr Meakins' arrival ?
A. No, there was -- I would have kept them here in my office at home and then handed them to him. I believe
I met him at a service station somewhere.
Q. Right. Did you have a discussion with him at the service station about anything particular he should know in taking up your role?
A. I don't believe so, no.
Q. Right.Q. Yes, I see. So they're one further up the supply chain1 then from Arconic; is that right? Sorry, two further up the supply chain.
A. Yes.
Q. I see.

Is it right, then, that Arconic would still be supplying cladding for onward transmission after fabrication to Taylor Maxwell so that Taylor Maxwell could then incorporate them into its whole system?
A. So an installer would win a cladding contract and then would send details to Taylor Maxwell of the panels that they required. That would be -- Taylor Maxwell worked with a fabricator who would then liaise with the manufacturer.
Q. So what were Taylor Maxwell doing, other than acting as a middleman? Were they actually building the cladding system?
A. No, Taylor Maxwell act as a marketing and sales company.
Q. Right. So they were another sales link between the fabricator and the installer?
A. Yes, they purely buy materials in from manufacturers and supply them on. They don't hold stocks of anything, they just act as the sales and marketing company.
Q. Right. Okay. What I'm really trying to get at is whether, after you had joined Taylor Maxwell, you were,

Can we look and see what you say about Taylor Maxwell in your second statement, please. This is your second statement at page 4 \{MET00053162/4\}, paragraph 13. You say:
"After leaving [Arconic] I commenced work with Taylor Maxwell, a brick, timber and facades supplier. I joined as National Cladding Manager and in early 2018 became National Cladding Director. My role at Taylor Maxwell is very different from what I was doing at [Arconic]. Taylor Maxwell is further up the supply chain than [Arconic] and does not supply single components used in cladding systems (for example, Reynobond), rather it recommends and supplies whole cladding systems to the construction industry, including cladding installers. Taylor Maxwell does not manufacture those systems, it sources them from specialist manufacturers and then sells them to the market."

When you say further up the supply chain there, do you mean that, for example, Arconic could supply cladding to Taylor Maxwell, cladding panels to Taylor Maxwell, who would then sell it on as part of a whole system?
A. No, Reynobond would -- Taylor Maxwell would still have to buy the materials through a fabricator.

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in an indirect sense, a customer of Arconic?
A. Yes.
Q. Yes.

Then in the same witness statement at page 14
\{MET00053162/14\}, paragraph 49, you say:
"As noted above, after my departure from [Arconic] I took up a role at Taylor Maxwell selling whole façade systems to end users. This was very different to the position of [Arconic] which sold only one component of those systems. I have therefore since had more exposure to the UK requirements in respect of fire certification although it is not something that I specialise in. At around the same time, the industry in the UK was I believe beginning to take an increased interest in the fire performance of cladding systems generally."

Can I just understand this evidence a bit better. Are you saying here that you understood more fire performance because you sold entire façades?
A. The exposure to fire was obviously after the tragedy of Grenfell, as, you know, an awful lot of people became far more aware of the details around fire. So, yes, my knowledge has increased significantly since then on that, and --
Q. I just want to explore that. Just looking at this, you say in the third sentence, having explained the

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difference between Arconic and Taylor Maxwell:
"I have therefore since had more exposure to the UK requirements in respect of fire certification ..."

It looks as if what you're saying there is that that greater familiarity with the UK requirements in respect of fire certification came to you after you joined Taylor Maxwell in early 2015, rather than only after the Grenfell Tower fire in June 2017.
A. We were certainly -- at Taylor Maxwell, because we were dealing direct with the installers, the installers were our customers, we were getting more questions around information to do with all sorts of specifications which we would have to get from the manufacturers we were dealing with.
Q. Yes, thank you.

Did you learn, after you joined Taylor Maxwell, about the UK Building Regulations and the fire safety regime in it?
A. I started to look into them in more detail, yes, because of the customers that we were dealing with.
Q. Did you get any training on those matters when you arrived at Taylor Maxwell?
A. No, we would take all that information from the -- we don't advise - Taylor Maxwell don't advise on fire. Any information that's requested, we get that from the
time.
Q. Yes. Did there come a time when you were surprised to find that you now knew things that you had not learnt at Arconic?
A. Yes.
Q. Can you give me an example?
A. No, it was just my general knowledge of the certifications.
Q. What did you come to know generally about the certification regime that you didn't know at Arconic that you surprised you that you hadn't learned there?
A. As I say, it was just general information. My knowledge was just building and developing over a period of time because of the enquiries and the conversations we were having with customers and the information we were getting back from various different suppliers on various different product types.
Q. Did there come a time when you thought to yourself, "I didn't know that while I was at Arconic, I wish I had"?
A. I think I've got an awful lot more knowledge now than I ever had, and yes, if I had known that, then yes, it would have been a lot better.
Q. I mean specifically once you joined Taylor Maxwell and started in your role there. Did there come a time in
manufacturers of the product. We don't advise on fire. national class 0 , and the European classification regime once you joined Taylor Maxwell?
A. As I say, I've learnt more since that time and I have been -- I have had more contact with that type of information, purely because of who we're dealing with and who we're working with. We wouldn't be advising on that.
Q. I'm trying to be specific here, to pin you down a bit. Did you come to learn about the UK fire classification regime and the European fire classification regime once you joined Taylor Maxwell, asking you about those two regimes specifically?
A. I started to become more aware of both after I'd left Arconic - - after I'd left Alcoa.
Q. You started to become more aware of both.

Did there come a time, after you joined
Taylor Maxwell but before the Grenfell Tower fire, when you were familiar, at least passingly familiar, with the fire classification regime which applied in England and Wales?
A. I was becoming more familiar with it because we were -we'd got more involvement with it, but I can't tell you when that started, it was just over a gradual period of

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that role, before the Grenfell Tower fire, when you discovered something that you didn't know at Arconic but wish you had known?
A. I can't recall that specifically, no.

MR MILLETT: Mr Chairman, I'm going to turn to a different topic. I'm afraid I'm not quite finished. I'm not far from the end, but I think it's going to be impossible to finish with this witness, I regret to say, with apologies to her primarily and to you, tonight, but I'm not going to be very long tomorrow morning.

I have spoken to Ms Grange, who takes the next witness, Mr Meakins, and she is -- I'm not sure "content" is the right word, but she is not unhappy about me taking a little bit of tomorrow morning to finish off Ms French. I'm in your hands about what we should do next.
SIR MARTIN MOORE-BICK: Well, Mr Millett, give us all some
idea of how much longer you think you might require with Ms French.
MR MILLETT: Probably about an hour. I would think up to the mid-morning break would be safe, and then perhaps a little bit more to allow for any further questions to come from core participants. That's, I hope,
a reasonable estimate.
SIR MARTIN MOORE-BICK: All right. Well, I'm sure Ms French

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would have liked to have finished today, but I think if
your current estimate is an hour plus, we would be very
unwise to try and carry on this evening. I think it's
been a long enough day for everyone.
Ms French, you heard what Mr Millett said.
I'm afraid he has more questions and we will have to ask you to make yourself available at least for part of tomorrow morning. I hope that isn't going to be too inconvenient.
THE WITNESS: No, that's fine.
SIR MARTIN MOORE-BICK: You can manage that? All right.
Well, that's very good of you, thank you very much.
In that case, we'll stop now and we'll resume at 10 o'clock tomorrow, and hope that it doesn't last too long.
THE WITNESS: Okay, thank you, sir.
SIR MARTIN MOORE-BICK: Then, Mr Millett, you will keep your questions, I'm sure, as confined as you can so that we can start Mr Meakins without more delay than is inevitable.
MR MILLETT: Yes, Mr Chairman.
SIR MARTIN MOORE-BICK: Right, on that basis, as I say, we will stop now and resume at 10 o'clock tomorrow.

Please, again, because we're breaking overnight, remember not to talk to anyone about your evidence or
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    anything relating to it over the break in the
    proceedings. All right?
    THE WITNESS: Yes.
SIR MARTIN MOORE-BICK: Thank you very much. I look forward
to seeing you tomorrow.
THE WITNESS: Thank you.
SIR MARTIN MOORE-BICK: Thank you, goodnight.
(4.30 pm)
(The hearing adjourned until 10 am
on Thursday, }11\mathrm{ February 2021)
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[^0]:    Q. You don't know that? No one ever told you about that either, did they?
    A. Not that I recall, no.
    Q. Would you have expected to be made aware of those test results?
    A. If it was relevant for the UK market, then yes, but otherwise not really.
    Q. Would you have expected to have been told that the cassette-fix variant of Reynobond 55 PE had failed a European fire test to such an extent that it could only be classified as an F?
    A. If, again, it had been relevant to the -- any impact on the UK, then, yes.
    Q. How could it conceivably not have been relevant to its impact on the UK, given that that was one of the variants of PE that you were selling in the UK market?
    A. And, as I say, if they'd have seen that it was necessary for me to know that for the UK, then yes, I would have expected to know.
    Q. Can we then turn to a meeting in Freiburg. This is at \{MET00053158_P04/35\}, please. This is a document recording a meeting which I do not think you were present at, but let me show you what it says. It's written by Claude Wehrle, and it was a meeting in Freiburg on 5 July 2011, as you can see with me:

[^1]:    Q. Did anybody from the group of people to whom you sent this email respond to you?
    A. I don't recall specifically if they did or didn't.
    Q. So you don't remember whether anyone told you what to tell customers?
    A. I'm sure I would have had a response, but I can't remember specifically what it was, what that communication was or what it involved.
    Q. Do you remember the gist, though, the flavour of what you were told to say to customers in response to this event?
    A. Again, I can't remember specifically.
    Q. Do you remember that you sent an email to fabricators on 13 May 2013, a few days later?
    A. Yes.
    Q. We find that at $\{$ MET00053173/79\}, if we can go to that, please. This is an email from you dated, as we can see, 13 May 2013, to Graham Smith and John Simmons at Simco, copied to Claude Wehrle and Peter Froehlich, subject: "BBC Report Ref ACM in UAE". If we could just have that on the left - hand side of the screen and pull up the identical version that it appears you also sent to CEP the same day, that's at \{CEP00049719\}, please. We can see, just looking at the right - hand side, you sent this one on the same day at around about the same time,

[^2]:    Q. Well, let's have a look at it. You can see that at section 120, three bullet points down, there is a rainscreen panel there to be manufactured, can you see, by KME Architectural Solutions; do you see that?

    ## A. Yes.

    Q. And some way below that, just before the next bullet point, it says "Product reference", and then in capitals, "PROTEUS HR honeycomb rainscreen panel".

    Did you see that at the time, do you remember?
    A. I don't recall seeing that at the time.
    Q. There is no reason, sitting there today, why you wouldn't have done though, is there?
    A. No, I don't recall seeing it at the time.
    Q. Right.
    A. I don't remember seeing it at the time.
    Q. No, but looking back on it at the time, having been sent a document of this nature in respect of this project, as a matter of your practice, would you have opened it and studied it carefully?
    A. I wouldn't have necessarily studied all elements of it, no, because it wasn't for -- it wasn't particularly relevant to what I was doing. So, no, I wouldn't have done.
    Q. Why was it not particularly relevant to what you were doing?

