

**FREQUENTLY ASKED QUESTIONS ABOUT ZYLON AND BODY ARMOR.
WRITTEN AND DISTRIBUTED BY TOYOBO CO., LTD.**

1. What is Zylon®?

Zylon is a synthetic fiber developed by Toyobo Co., Ltd. (“Toyobo”), a company headquartered in Osaka, Japan. Zylon -- the strongest man-made fiber in the world -- has high tensile strength, thermal stability and flame resistance as compared to organic fibers. Zylon is a component part of at least fifty diverse end-products including: sporting goods, such as tennis rackets and golf clubs; high tension rope; protective gear, such as firefighter garments, racing suits, racing helmets, cut-resistant gloves and bullet-resistant vests; and cable and aerospace mechanisms. In fact -- due to its unique strength, resilience and ability to maintain optimum stability in extreme environments -- NASA selected Zylon as the fiber used in the cables that supported the NASA landing vehicles that recently landed on Mars.

2. Why is Zylon used in ballistic applications?

Zylon is a revolutionary fiber, one of the highest performing fibers in the world. Its unique physical properties allow Zylon-based body armor to provide remarkable ballistic protection at a light -- and therefore comfortable and wearable -- weight. With the growing consumer desire for both higher performance and increased comfort, body armor manufacturers and consumers alike have embraced the benefits of Zylon-based ballistic materials. Since the introduction of Zylon-based bullet-resistant vests, the weight of bullet-resistant vests has decreased significantly and, accordingly, the percentage of police officers wearing them regularly has increased significantly. The result: *more lives saved.*

3. How is Zylon fiber turned into a ballistic material?

Toyobo, the manufacturer of Zylon fiber, only sells Zylon in spools of continuous filament fiber. The Zylon is then purchased and shipped to various weavers.

Weavers -- acting upon very exacting specifications provided to them by body armor manufacturers -- convert Zylon fiber into a very wide array of different styles and strengths of fabric for use in ballistic applications, by using or combining different thicknesses (deniers) of fibers into different fabric constructions. Body armor manufacturers, or their designated weavers, convert the spools of fiber in one of two ways: they either weave the fiber into a fabric, or bond it with resins to form thin, flexible non-woven composite materials. These unique and usually proprietary weaves provide a large number of Zylon-based fabric designs, the characteristics of which vary.

Using their expertise in the ballistics field, body armor manufacturers choose the particular construction which is most suitable for their particular product, based on factors such as cost, comfort and the type of rounds the body armor is designed to stop. Zylon, whether woven or processed, is just one of many component parts that are incorporated by body armor manufacturers into their final products. Toyobo does not make -- and has never made -- body armor.

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4. How do manufacturers construct vests out of these ballistic materials?

Typically, bullet-resistant vests are constructed of multiple plies of ballistic material, assembled into a protective panel. The protective panel is then inserted into a carrier, which is constructed of conventional fabric, such as nylon or cotton. The protective panel may be permanently sewn into the carrier or may be removable. Although the finished product looks relatively simple in construction, the protective panel is very complex.

The bullet-resistant vest manufacturer may construct a given model of ballistic panel from a single ballistic material or from two or more materials in combination. Where more than one ballistic fiber is used, the vest is often referred to as a “hybrid.” The location and number of plies of each material within the multiple-layer protective panel is critical to the overall performance of the panel. If a manufacturer uses insufficient ballistic material, the body armor will offer insufficient protection. It is thus indispensable that sufficient material and a suitable margin of safety be incorporated into well-designed, properly-manufactured body armor. The National Institute of Justice (“NIJ”) sets minimum standards that manufacturers must meet in order to comply with the appropriate NIJ threat level standard.

5. What other materials may body armor manufacturers incorporate into bullet-resistant vests?

Besides Zylon, bullet-resistant vests may incorporate materials including Kevlar®, Twaron®, Spectra®, or Dyneema®, or combinations of these fibers. As is the case with Zylon, these materials can be, and are, manufactured in a wide variety of styles and can be woven or non-woven. Also available are non-fabric materials, such as metals, ceramics, or other composites. Each of these materials, and combinations thereof, has its own unique strengths and limitations, which should be taken into account by body armor manufacturers in designing and manufacturing their body armor.

6. How do bullet-resistant vests work?

When a bullet strikes a body armor panel, the fibers absorb and disperse the energy of the impact across a generalized area. Concealable body armor is made up of a number of plies, which disperse the energy of the projectile and help to reduce the effects of blunt trauma, caused by the force of the impacting projectile. A single ply of Zylon fabric -- or any other ballistic material -- cannot stop a bullet. The exact number of plies required to prevent bullet penetration depends on such variables as the type of material or materials used, whether the material is woven or non-woven, the fabric optimization, including the type of weave used, the stitching, if any, and the overall product design.

7. What factors impact the efficacy of a bullet-resistant vest?

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No two bullet-resistant vest designs are the same. Each manufacturer's designs vary in many respects, such as the number of plies, the material used, whether the material is woven or non-woven, the type of weave used, the stitching, if any, and the covering material. The overall design of the vest is the most important factor affecting its efficacy.

Other factors include the age of the vest, how regularly it was worn, whether it was cared for properly or whether the wearer violated the care instructions by, for example, putting the vest in the washing machine or dryer, or leaving it in a car trunk for prolonged periods, and whether the armor fits the wearer properly.

8. What mechanical properties matter in evaluating the ballistic capabilities of fibers, including Zylon?

In selecting the appropriate fiber for use in bullet-resistant vests, manufacturers should seek optimal balance of tensile strength, tensile modulus (i.e., elasticity), elongation, density, moisture retention, impact energy absorption, heat resistance and limiting oxygen index. What constitutes an "optimal balance" of these fiber specifications varies, depending on the manufacturer's targeted cost, comfort, and protection levels.

9. What are the mechanical properties of Zylon fiber?

Zylon is a state-of-the-art fiber with four extraordinary characteristics. First, Zylon has incredible tensile strength -- it is stronger than steel and twice as strong as Kevlar. Second, Zylon has a remarkably high modulus (resistance of fiber to stretch) -- also twice as high as Kevlar. Third, Zylon is flame resistant -- it will burn only when exposed to atmospheric conditions consisting of at least 68% oxygen, a state that is not naturally encountered in Earth's atmosphere. Fourth, it has incredible thermal stability -- it will decompose only at temperatures in excess of 1470° Fahrenheit.

10. What is the significance of Toyobo's data demonstrating that Zylon's modulus remains extremely high, even after exposure to high temperatures and humidity?

Experts in the ballistics industry have reported that the ballistic impact potential and behavior of fiber-based body armor depend on an analysis of all the mechanical properties of the fibers to be used to construct the armor system. Tensile strength is just one factor. Those same experts maintain that one of the key characteristics of the fiber is the modulus. In fact, many body armor industry experts and manufacturers believe that fiber modulus is the single most important characteristic to be taken into account when designing or engineering a vest.

Modulus is an engineering term used to describe the resistance of fiber to stretch. The tensile modulus for Zylon fiber remains constant -- with no deterioration whatsoever -- even after exposure to 104° Fahrenheit and 80% relative humidity for 24 hours a day, over almost 600 days. In fact, the aging effects on Zylon fiber under extreme

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temperature and humidity conditions show that the Zylon capability for energy dissipation remains constant and extremely high.

11. Can ballistic materials degrade?

It has long been common knowledge in the industry that *all* ballistic materials, including Kevlar, Twaron, Spectra, Dyneema, and Zylon, are susceptible to degradation over time, and under certain conditions. Bullet-resistant vest manufacturers take these specific qualities of different fibers into account in engineering their unique end-product, and build in an appropriate safety margin.

Importantly, the fact that fiber loses some ballistic performance capabilities over time does *not* mean that the fiber is not suitable for use in ballistic applications, or that a bullet-resistant vest made with that fiber is not effective. Body armor manufacturers are well aware that all materials are susceptible to degradation, and take the natural degradation process into account in designing their products. That is, the manufacturer may increase the number of plies of ballistic material used, thus strengthening the body armor and increasing the safety margin. Also, the manufacturer may choose to use a unique combination of complimentary materials, rather than just one material. The manufacturer also has many options in terms of the style of fiber weave, the presence or absence, location and characteristics of stitching used, the use of woven or non-woven material, and many nuances of product design. These decisions should all be made taking into account knowledge of the fiber's characteristics, including the rate of fiber degradation.

12. Is there any data indicating that Zylon bullet-resistant vests do not degrade more than expected?

Yes. As discussed above, *all* fibers used in ballistic applications are susceptible to some degree of degradation. Although Zylon may be subject to degradation, over time and under certain conditions, this rate of degradation is not more than what was expected, and does not render Zylon unsuitable for use in body armor, when the vests are properly designed and manufactured. Numerous bullet-resistant vest manufacturers besides Second Chance have conducted studies of their own end-products and have reported no unexpected decrease in ballistic performance.

For instance, Honeywell, Inc. ("Honeywell") conducted tests to determine whether there was any decrease in ballistic performance of its Z-Shield® (Zylon) material over time, after being stored in an uncontrolled warehouse environment for three years. The test results revealed "no loss of ballistic performance" over the three year time period. Honeywell concluded: "Based on the data, and from experience with other ballistic materials, there is no significant anticipated change in the ballistic performance response of the Z-Shield material for the five year suggested lifespan of most bullet-resistant vests assuming proper care and use."

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Almost all body armor manufacturers concur. Armor Holdings reported that the tests it has conducted on Zylon based vests “show no unanticipated degradation in ballistic performance.” (emphasis in original). Again, a certain amount of degradation is expected, and planned for, with any ballistic fiber. Body armor manufacturers take that factor, along with numerous others, into consideration when they design, engineer, construct and test their vests.

Likewise, Pacific Safety Products Inc. (“PSP”) reported that “The potential degradation of Zylon when exposed to both high temperatures and humidity has been known to the body armor industry for some time, well before the current safety concerns. At PSP we have built all of our Zylon products with this in mind, and always design panels with an adequate margin of safety to counter any potential degradation of the fibers.” PSP also noted that, after continuous testing of its Zylon vests, “To date, we have not seen the performance of our Zylon ballistic vests fall below expected performance standards.”

13. Does Toyobo conduct testing of bullet-resistant vests or Zylon ballistic fabric, rather than just fibers?

When Zylon leaves Toyobo’s control, it is in the form of a spool of fiber. It is that fiber which Toyobo is responsible for, and it is that fiber which Toyobo tests. Toyobo does not design or manufacture, and has no expertise in designing or manufacturing, bullet-resistant vests. It therefore does not conduct, and is not qualified to conduct, testing of any of the many designs of individual bullet-resistant vests manufactured by other companies. That is the responsibility of the manufacturer of each vest. Toyobo has conducted some testing of ballistic fabric, solely for ongoing research, however the fabric was woven by a Japanese weaver, using a methodology not used in any bullet-resistant vest sold in the United States. Toyobo does not conduct testing of any ballistic fabric sold for use in the United States market.

14. Is there a report showing that Zylon fiber degrades when exposed to conditions of extreme heat and high humidity?

Yes. Because product safety is Toyobo’s number one priority, Toyobo has long conducted tests on its fiber to understand the aging performance of the fiber itself (as opposed to the aging performance of bullet-resistant vests made of Zylon fabric). In July of 2001, soon after Toyobo completed the first round of its “acceleration testing” on Zylon fibers, it shared the results of those tests with the body armor industry. Toyobo has continued to prepare and furnish the results of its Zylon testing to the industry on a quarterly, then semi-annual, basis since January 1, 2002.

15. Hasn’t one body armor manufacturer, Second Chance Body Armor, Inc. (“Second Chance”) reported failures in its Zylon-based body armor?

Yes. Second Chance, which boasted that it created the “lightest, thinnest” vests possible with the introduction of the Ultima and Ultimax models, has experienced at least three

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reported vest penetrations in the field with *its* vests. Importantly, no other body armor manufacturer has experienced a failure of Zylon-based body armor in the field. Second Chance has also reported numerous failures of its Ultima and Ultimax vests during internal testing over the past three years but has not shared those test results publicly, despite requests that they do so. Thus, we are not in a position to evaluate, or comment on, Second Chance's failure rate.

16. Is it true that Second Chance continued to sell Zylon-based body armor after the shootings of several police officers in June 2003, and after issuing public statements condemning the use of Zylon in body armor?

Yes. Second Chance continued to sell its Ultima and Ultimax vests until September, 2003 -- several months after the shootings of several police officers whose Second Chance vests were reportedly penetrated in June 2003. In September 2003, Second Chance withdrew these models from the market, alleging that Zylon had durability problems, and that this was an "industry-wide" issue, rather than a problem unique to Second Chance's own vests. Ironically, notwithstanding its claims for the past nine months that the reasons for the failures of its Ultima and Ultimax vests was Zylon-related, Second Chance continued to sell its Tri-Flex vests -- which contain Zylon -- until at least April 2004, when they discontinued sales for a totally unrelated reason. Moreover, Second Chance continued to sell Zylon-based body armor overseas.

17. Is it true that Second Chance has been unable to procure product liability insurance for its Zylon-containing body armor?

Second Chance has reported that it has been unable to procure product liability insurance for some of its body armor. No other manufacturer has reported similar problems. We are unable to comment on the reasons why an insurance company may have decided not to insure products manufactured by Second Chance.

18. Some news articles have reported allegations that Toyobo deliberately concealed test data from the industry. Is that true?

Absolutely not. Since 2001, Toyobo has conducted tests on Zylon fiber to estimate the aging performance of Zylon fiber itself. While those tests were never intended, or designed, to assess the actual ballistic performance of any individual manufacturer's final product, Toyobo made a practice of providing the results of its Zylon testing to the entire body armor industry. On July 5, 2001, Toyobo reported -- in letters sent to manufacturers of body armor -- that "the strength of Zylon fiber decreases under high temperature and humidity conditions." Toyobo also included information concerning the methodology behind the testing and provided illustrative graphs. These results were also reviewed and discussed in meetings Toyobo conducted with various body armor manufacturers, including Second Chance, in July 2001, and, in the case of Second Chance, at regular intervals over the past 34 months. Toyobo reminded body armor

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manufacturers to bear these characteristics in mind when designing, building and testing their end products.

In August 2001, Toyobo updated Second Chance on the progress of its acceleration testing. In that letter, Toyobo wrote that in humidity studies, Zylon had experienced a “bigger strength drop” than expected. Moreover, in that same letter, Toyobo specifically encouraged Second Chance executives to “please share this information with your customers.”

From July 2001 until as recently as last month, Toyobo has conducted testing on Zylon fiber and provided the results to the body armor industry. Toyobo has always believed in absolute transparency and has acted honorably and candidly in sharing its data with body armor manufacturers.

And, as long ago as 1998, Toyobo informed Second Chance that Zylon can be damaged by exposure to light.

19. What has Toyobo done in response to the lawsuits brought by various states relating to body armor?

Attorneys general from five states have instituted lawsuits against parties for their involvement in the manufacture of allegedly unsafe body armor. Each of those lawsuits has named Second Chance as the primary defendant. No other body armor manufacturer has been sued by any state attorney general.

Notwithstanding the fact that Toyobo has not been served in any lawsuit brought by a state attorney general, Toyobo has reached out to those states and provided them with test data and correspondence that might assist in their respective litigations. Moreover, Toyobo representatives have voluntarily met with various state and police officials throughout the United States to offer any additional assistance that might be requested.

Toyobo takes seriously its commitment to product safety. Toyobo has always been a responsible corporate citizen, sharing its testing data with the industry in a forthright and timely fashion. In the same manner, when Toyobo learned that the NIJ and various attorneys general were studying bullet-resistant vests, Toyobo volunteered all of its testing data, and offered to answer any questions the NIJ or attorneys general may have. Toyobo will continue to co-operate fully in these investigations, which Toyobo believes will bring welcome reassurance to those who entrust their lives to the integrity of Zylon body armor.

20. How does Toyobo test the effect of ongoing environmental exposure on Zylon?

Toyobo has conducted numerous strength tests of individual strands of Zylon fiber, none of which by itself can be readily extrapolated to provide information about the ballistic properties of Zylon fabric, but which are nonetheless important indicators of Zylon’s

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scientific properties, under artificially extreme conditions. In one test, Toyobo monitors, at regular intervals, the tensile strength of Zylon fiber which has been enclosed in a chamber, in conditions of 104° Fahrenheit and 80% relative humidity, 24 hours per day, 365 days per year. Obviously, such extreme conditions do not approximate real world conditions, but this type of “acceleration testing” is used to examine Zylon under excessive, constant strain.

It is important to understand that these results do not tell us how Zylon will react in ballistic applications. First, they involve single strands of fiber, rather than the unique combinations of multiple plies of fabric that make up body armor. Moreover, body armor is not exposed to such excessive conditions, 24 hours per day, 365 days per year. Finally, these theoretical studies only monitor decreases of tensile strength, which is just one of several properties that contribute to overall ballistic performance. In fact, modulus strength is generally understood to be much more important than tensile strength in determining ballistic performance.

21. Why did Toyobo choose such extreme, unrealistic conditions?

Toyobo chose extreme conditions in an attempt to understand the effects of extreme stress and aging on fibers, thus providing potential insight into how Zylon might react under less extreme circumstances.

22. Is Zylon fiber unsafe for use in ballistic applications?

Absolutely not. As with other fibers used in ballistic applications, over time and under certain conditions, Zylon may experience anticipated degradation. However, the rate of degradation of a fiber is merely one of several factors that bullet-resistant vest manufacturers should take into account in designing their end-products. Just as bullet-resistant vest manufacturers using Kevlar must take into account that Kevlar’s tensile strength is much lower than Zylon’s so too must manufacturers using Zylon take into account Zylon’s rate of tensile strength degradation.

Indeed, Toyobo, and almost all body armor manufacturers, believe that Zylon, far from being “unsafe” for use in ballistic applications, is *the safest*, lightest and best bullet-resistant fiber available in the world today.

23. Have all bullet-resistant vest manufacturers stopped using Zylon?

No. Although Second Chance withdrew its Ultima and Ultimax Zylon vests from the market in September 2003, after reporting that *its* vests degraded more rapidly than expected, it is critical to note that other manufacturers continue to use Zylon, and, indeed, no other manufacturer has reported or experienced similar degradation problems. These manufacturers include Armor Holdings (Safariland and American Body Armor), DHB (Point Blank), First Choice, Gator Hawk, PSP and PT Armor.

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Second Chance manufactured and advertised its vest as the “lightest, thinnest . . . vest in the world.” No other manufacturer made similar claims. While Second Chance is now trying to characterize the failure of its products as a Zylon problem, not a design problem, Toyobo disagrees. Based on its extensive scientific expertise, Toyobo believes that Zylon itself is not a defective product, as further evidenced by the fact that only one manufacturer, who strove to create the “lightest, thinnest” vest possible, has experienced problems with its design. In contrast, to the best of Toyobo’s knowledge, the manufacturers who continue to use Zylon with no problems have incorporated an adequate “safety margin” into their end-products, such as the incorporation of sufficient plies of Zylon or a specialized protective covering material, to assure superior vest performance regardless of Zylon’s tensile strength degradation.

Interestingly, although Second Chance claimed in September 2003 that it was discontinuing sales of its Ultima and Ultimax vests because Zylon’s rate of degradation rendered it unfit for use in ballistic applications, Second Chance continued to sell its Zylon-containing Tri-Flex vest until April 2004, and still maintains that all used vest testing suggests that Tri-Flex vests will perform satisfactorily. Moreover, Second Chance continued to sell Zylon-based body armor in Europe.

24. Second Chance’s website reports that Toyobo has consistently claimed not to be subject to the jurisdiction of courts in the United States. Is that true?

Absolutely not. On Second Chance’s website, Second Chance President Paul Banducci states that Toyobo has consistently claimed not to be subject to the jurisdiction of courts in the United States. That is not true. Some Plaintiffs have erroneously sued Toyobo America, Inc. (“Toyobo America”), an independent United States subsidiary of Toyobo, which was not involved in any way in the production or sale of Zylon. Toyobo America has set forth its position that it simply does not belong in these lawsuits, and has contested jurisdiction where appropriate. Indeed, Toyobo America has already been dismissed from lawsuits because of this and we believe that Toyobo America will be dismissed from all filed cases on this basis. In every instance, Toyobo America has served copies of these motions on Second Chance, so Second Chance is well aware of the truth of the situation.

Toyobo, on the other hand, has never contested that it is subject to the jurisdiction of United States courts and is fully co-operating in all lawsuits and government investigations. Indeed, rather than seeking to avoid answering these charges, Toyobo welcomes the opportunity to demonstrate that it at all times promptly shared data with body armor manufacturers, did not withhold relevant data, and that Zylon is suitable for use in ballistic applications when the body armor is properly manufactured and designed.

In sum, Toyobo has adopted a position of transparency and cooperation. Toyobo will respond to all discovery requests served on it in any Zylon-related litigation. In addition, Toyobo will make available its employees to provide sworn deposition testimony. It is interesting to note, however, that Second Chance has consistently refused to make all but

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one of its employees available for deposition -- and that person has only testified in one of the numerous suits brought against Second Chance. In fact, although numerous plaintiffs and state attorneys general have sought the depositions of Second Chance executives and scientists, Second Chance has moved for protective orders and cancelled all but one of the abundant depositions of its executives and scientists scheduled to date.

25. I have heard a rumor that “Toyobo is requiring all weavers to indemnify Toyobo.” Is that true?

No. Toyobo has never asked nor required any trader, weaver, or bullet-resistant vest manufacturer to indemnify Toyobo for any lawsuits concerning Zylon. When incorporated into a properly-designed and properly-manufactured bullet-resistant vest, Zylon can offer the best ballistic protection the world has ever known. Toyobo proudly stands behind the Zylon which has made this superior protection possible.

26. I know that Toyobo has published its fiber test results and data, but I cannot find the data or results of tests on used body armor performed by Second Chance. Where can I see those results?

Second Chance claims to have been conducting “continuous” testing of its vests for the last five years, and claims to have retrieved and tested 340 used Ultima vests from the field. Second Chance has not shared all these test results with law enforcement officers, investigators, litigants, the media or the general public. Indeed, it is written that some of Second Chance’s own top scientists have been denied access to the test data.

And, in litigations where Second Chance’s test results have been requested, Second Chance has fought for a confidentiality agreement, refusing to disclose highly relevant test data unless the parties first agree not to share the test results with anyone else.

27. Has Zylon saved any police officers recently?

Yes. Many officers have been saved over the years by Zylon-based body armor, manufactured by several different manufacturers. In the last several months, there have been at least six reported Zylon “saves” by body armor manufacturers other than Second Chance.

On September 9, 2003, New Mexico State Police Officer Don Day responded to a Motor Vehicle Division call. While attempting to apprehend the suspect, Officer Day was shot three times, with one of the rounds to his belly being stopped by his body armor. Officer Day was wearing an American Body Armor Extreme ZXS, level II vest.

On September 23, 2003, Lt. Randall White of Minidoka County Sheriffs Office, Idaho, was working to capture a bank robbery suspect, when he was fired upon four times with one of the 9mm rounds striking his vest and the other three his extremities. The doctor treating his wounds remarked that the ballistic vest took most of the energy from the one

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body shot and likely saved his life. Lt. White was wearing an American Body Armor Xtreme ZTZ, level IIIA vest.

On September 24, 2003, Trooper A. W. Spinks of the Georgia State Patrol was saved when his vest stopped a round fired at his chest while pursuing a suspect. Trooper Spinks was wearing an American Body Armor Xtreme ZX, Level II vest.

On December 27, 2003, Sergeant James Sinkler of the South Carolina Highway Patrol, was saved by his body armor, when he was shot in the chest by a round from a .357 magnum revolver during a traffic stop. Sergeant Sinkler was wearing a Gator Hawk vest.

On April 17, 2004, Officer Tony Norris of the Black Mountain, North Carolina Police Department was saved by his vest that stopped a round from a .357 magnum from a distance of three feet during a shootout. Officer Norris was wearing a Gator Hawk, Excel Level II vest, a Zylon/Gold Flex hybrid.

And, on April 24, 2004, Officer Brian “Kyle” Bennett of the Oklahoma City Police Department was shot in the chest while responding to a bar fight. The bullet was stopped by his body armor, and he suffered only a bruise. Officer Bennett was wearing an Xtreme X vest, manufactured by American Body Armor.

All six officers are alive today thanks to their Zylon-based body armor.