IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JUN 29 1970
JAMES R. COONEY, CLERK
By Imogene R. Jones

CLARENCE BOREL	§	
VS.	§	CIVIL ACTION NO. 6449
FIBREBOARD PAPER PRODUCTS	§	
CORPORATION, ET AL	§	

ANSWERS OF COMBUSTION ENGINEERING, INC., TO PORTION OF INTERROGATORIES CONTAINED IN FIRST SET OF INTERROGATORIES.

Now comes Combustion Engineering, Inc., one of the defendants in the above-entitled and numbered cause, and answering the portion of the Interrogatories contained in the first set of Interrogatories heretofore served on said defendant under Rule 33, Federal Rules of Civil Procedure, which have not been heretofore answered, and the objections to which have been overruled by the Court, replies to the same as follows:

1.

In reply to Interrogatory No. 7 of the first set of interrogatories, this defendant answers the same no.

2.

In reply to Interrogatory No. 11 of the first set of Interrogatories, this defendant has no information or knowledge of the matters referred to or inquired about in said interrogatory.

3.

In reply to Interrogatory No. 12 of the first set of Interrogatories, this defendant has no information or knowledge of the matters referred to or inquired about in said interrogatory.

686

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4.

In reply to Interrogatory No. 13 of the first set of Interrogatories, this defendant has no information or knowledge of the matters referred to or inquired about in said interrogatory.

5.

In reply to interrogatory No. 17 of the first set of Interrogatories, this defendant has no information or knowledge of the matter referred to or inquired about in said interrogatory.

6.

In reply to Interrogatory No. 19 of the first set of Interrogatories, this defendant has no information or knowledge of the matters referred to or inquired about in said interrogatory.

7.

In reply to Interrogatory No. 26 of the first set of Interrogatories, this defendant answers the same no.

8.

In reply to Interrogatory No. 27 of the first set of Interrogatories, this defendant answers the same no.

9.

In reply to Interrogatory No. 43, defendant answers same as follows:

Due to the fact that prior to 1967 Combustion Engineering, Inc's subsidiary, R and I Refractory and Insulation Corporation, later merged with Combustion Engineering, the figures called for are broken down as between Combustion Engineering, Inc., and its former subsidiary, R and I

687

The Borel v. Fibreboard Case File (1969-1972), Partial answers to interrogatories
ACL Doc 10163 · Page 2 of 5
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Refractory and Insulation Corporation, and for the period from 1960 to and including 1967, the figures, insofar as Combustion Engineering, Inc., is concerned, do not include sales of asbestos-containing products, since Combustion Engineering, Inc., has only engaged in such business in its own name since December 31, 1967, but such figures represent sales of other items manufactured by Combustion Engineering, and only the figure shown for 1968 includes sales of asbestos-containing products. The figures as to R and I Refractory do include sales of asbestos-containing products:

	Combustion Engineering, Inc.	R & I Refractory
1960	$269,502,000	$3,644,894
1961	$297,137,000	$3,303,218
1962	$263,219,000	$3,900,392
1963	$301,185,000	$5,068,720
1964	$317,371,000	$7,813,232
1965	$416,903,000	$8,807,332
1966	$577,867,000	$9,377,000
1967	$688,589,000	$9,891,000 for R & I and $9,671,705, Ramtite Company merged with R & I 1967
1968	$664,891,067	

10.

Answering Interrogatories Nos. 47 through 84, Incl., of the first set of interrogatories, this defendant says that it agrees that the states mentioned have workmen's compensation laws which pertain to occupational disease but whether or not such laws specifically cover asbestosis, and the dates of the beginnings of such laws, this defendant does not have sufficient knowledge or information upon which to predicate a sworn statement in regard thereto.

ATTORNEY FOR DEFENDANT,
Combustion Engineering, Inc.,
1014 San Jacinto Bldg.,P.O.Box 1632,
Beaumont,Texas.

688

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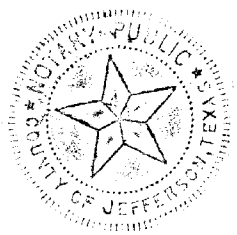
THE STATE OF TEXAS

COUNTY OF JEFFERSON

CHARLES S. PIPKIN, being duly sworn, on oath deposes and says that he is attorney of record for the defendant, Combustion Engineering, Inc., in the above cause and as such is duly authorized to make, file and serve the foregoing answers to interrogatories, and this affidavit, and that he does so acting on such authority and authorization; that he has read over the foregoing answers and the same are true and correct.

Charles S. Pipkin

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 29th day of June, 1970, to certify which witness my hand and seal of office.



William S. Burkhalter

NOTARY PUBLIC IN AND FOR
JEFFERSON COUNTY, TEXAS

689

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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 1970, a true and correct copy of the foregoing instrument was mailed to the following named attorneys of record:

Mr. Ward Stephenson, Attorney,
Stephenson and Thompson,
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Orange, Texas. 77630
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AND PHILIP CAREY CORPORATION

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FIBREBOARD PAPER PRODUCTS
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Attorney for Intervenors,
NATIONAL SURETY CORPORATION and
[illegible]

ATTORNEY FOR DEFENDANT,
COMBUSTION ENGINEERING, INC.

690

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