IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CLARENCE BOREL §

VS. § CIVIL ACTION NO. 6449.

FIBREBOARD PAPER PRODUCTS § CORPORATION, ET AL

* * *

ANSWERS AND DEPOSITIONS of DR. RAYMOND BENSKI, who resides in Jefferson County, State of Texas, to the accompanying direct interrogatories propounded to him in the above entitled and numbered cause, taken before Odessa J. Smith, a Notary Public in and for Jefferson County, Texas, in accordance with the accompanying commission.

ANSWERS OF THE WITNESS:

1. Dr. Raymond Benski.

2. Yes.

3. I examined him one time and that was on May 28, 1964, for the Provident Life Insurance Company.

4. We took a regular insurance physical history but I do not have a copy of it. The only notation I have on him is his name and his date of birth as 8-14-1912.

5. I sent it to Provident without keeping a copy.

6. No, I do not.

7. No, I have not.

ODESSA J. SMITH
Shorthand Court Reporter
Beaumont, Texas

The Borel v. Fibreboard Case File (1969-1972), Written deposition of Dr. Benski
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8. No, the only date I saw him was May 28, 1964.

9. No record, if so, everything was sent to Provident.

10. Yes, if any were taken.

11. No.

12. No, I do not.

Raymond Benski MD
RAYMOND BENSKI, M.D.

SWORN TO AND SUBSCRIBED before me, under my official hand and seal, this the 14th day of July, A. D., 1970.

Odessa J. Smith
ODESSA J. SMITH, NOTARY PUBLIC
IN AND FOR JEFFERSON COUNTY, TEXAS.

THE STATE OF TEXAS

COUNTY OF JEFFERSON

I, Odessa J. Smith, a Notary Public in and for Jefferson County, Texas, do hereby certify that the foregoing answers of DR. RAYMOND BENSKI, the witness before named, were signed and sworn to by the said witness before me.

Odessa J. Smith
NOTARY PUBLIC IN AND FOR
JEFFERSON COUNTY, TEXAS.

ODESSA J. SMITH
Shorthand Court Reporter
Beaumont, Texas

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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

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

TO: CLARENCE BOREL, PLAINTIFF, AND HIS ATTORNEY, MR. WARD STEPHENSON, STEPHENSON & THOMPSON, STEPHENSON BUILDING, ORANGE, TEXAS:

Please take notice that the deposition of **Dr. Raymond Benski, 2420 Nederland Ave., Nederland, Jefferson County, Texas**, will be taken by propounding the attached interrogatories and such cross-interrogatories as plaintiff may serve upon the undersigned within ten (10) days after service of this notice, and that defendants will apply to the Clerk of the United States District Court for a subpoena for said witness and a subpoena duces tecum requiring said witness to produce all notes, including patient's history or histories, complaints, memoranda regarding examination, X-ray reports, consultation reports from other doctors, X-rays and X-ray reports, written reports or opinions given by said witness relating to any examination and/or treatment of Clarence Borel.

DATED this 9th day of June, 1970.

GEORGE E. DUNCAN
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BEAUMONT, TEXAS 77704

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BEAUMONT, TEXAS 77701

GEO. A. WELLER
P. O. BOX 350
BEAUMONT, TEXAS 77704

BY _____
GEO. A. WELLER

CERTIFICATE OF SERVICE

A copy of the foregoing notice was mailed by certified mail, return receipt requested, to Mr. Ward Stephenson, Stephenson & Thompson, Stephenson Building, Orange, Texas, attorney for plaintiff, on the 9th day of June, 1970.

_____
GEO. A. WELLER

DIRECT INTERROGATORIES TO BE PROPOUNDED
TO THE WITNESS

1. What is your name?

2. Have you ever examined **Clarence Borel**?

3. How many times have you examined him and at whose request? Give the date or dates of each examination and treatment, if any.

4. Did you or your nurse or office personnel take a history on each occasion, and did you make any office memoranda of your examination and/or treatment, your findings and prognosis? If you have answered this interrogatory "yes," as to any one or more of such items requested, then please attach a photocopy of each and every office record and memoranda or report to your answers, or if you refuse to do so, then please read such report to the court reporter in full.

5. Have you ever given a written report as to your findings and conclusions based upon your examination or examinations? If so, please attach a copy of each and every report to your answers, or failing to attach a copy, please read each and every report in full to the court reporter.

6. Do you have any medical reports from any other physician or technical personnel as to their findings and conclusions based upon an examination or tests given to the above named patient? If you have answered this interrogatory "yes," then furnish the court reporter a copy of such report or reports, or failing to do so, read such report in full to the court reporter.

7. Have you ever had an occasion to examine **Clarence Borel** _____ and have not written a report about your

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findings and conclusions? If you have answered this interrogatory "yes", then give the history given to you by the patient and a complete summary of your findings and conclusions.

8. Did you give Clarence Borel an insurance examination on or about July 1, 1964?

9. Mr. Clarence Borel testified during his lifetime that you had made an insurance examination of him and as a part of the examination had taken an X-ray or X-rays. Please tell us if the X-ray is available, and if so, where it can be obtained.

10. Did you send the original X-ray or X-rays to the insurance company?

11. Do you have a copy of any X-ray report or interpretation? If so, please attach this report.

12. Do you have a copy of your report to the insurance company and if so, please attach a copy of this report.

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