IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JAN 21 1971
JAMES R. COONEY, CLERK
BY DEPUTY Imogene L Jones

SAMUEL R. POTTER VS. FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL	CIVIL ACTION NO. 6329
CLARENCE BOREL VS. FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL	CIVIL ACTION NO. 6449
J. J. CRAWFORD VS. FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL.	CIVIL ACTION NO. 6492

ANSWER OF THE DEFENDANT, RUBEROID COMPANY,
TO INTERROGATORIES PROPOUNDED BY PLAINTIFFS

TO: PLAINTIFFS, SAMUEL R. POTTER, CLARENCE BOREL AND J. J. CRAWFORD, AND MR. WARD STEPHENSON, STEPHENSON & THOMPSON STEPHENSON BUILDING, ORANGE, TEXAS, THEIR ATTORNEY OF RECORD:

COMES NOW Ruberoid Company and files the following Answers to Interrogatories propounded by the Plaintiff, such answers being filed pursuant to an agreed extension of time:

ANSWER TO INTERROGATORY NO. 1:

This Defendant does not have any "so-called threshold limits" of its own. References in answers to written interrogatories previously propounded were to publications by The American Conference of Governmental Industrial Hygienists entitled "Threshold Limit Values for Air-Borne Contaminants."

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This Defendant has not advised insulation contractors and those using its products of these publications.

ANSWER TO INTERROGATORY NO. 2:

This Defendant's customers are insulation contractors and owners who are experts in the field of insulations application and are aware of any dust problem. All are aware that high temperature insulating products contain some asbestos and that reasonable care must be taken to reduce dust concentrations in shops and in the installation of the products where excessive dust is created. These customers know that threshold limit values have been established for asbestos dust concentrations.

Further, it is the duty and the responsibility of the insulation contractor or owner to furnish their employees a reasonably safe place to work and to inform their employees of these facts and to take all necessary safety precautions.

ANSWER TO INTERROGATORY NO. 3:

See Answer to Interrogatory No. 1.

ANSWER TO INTERROGATORY NO. 4:

Information obtained from:

American Conference of Governmental
Industrial Hygienists
1014 Broadway
Cincinnati, Ohio 45202.

ANSWER TO INTERROGATORY NO. 5:

No.

ANSWER TO INTERROGATORY NO. 6:

Not applicable because of the "No" answer to Interrogatory No. 5.

ANSWER TO INTERROGATORY NO. 7:

This Defendant does not contend that some dust count constitutes a threshold level. It only states that, to its knowledge, the most reliable information

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available on air-borne contaminants and on the concentration of such contaminants to which workers may be exposed without adverse effects is "Threshold Limit Values of Air-Borne Contaminants" published periodically by The American Conference of Governmental Industrial Hygienists.

The threshold limit recommended by The American Conference of Governmental Industrial Hygienists entitled "Threshold Limit Values For Air-Borne Contaminants," was five million particles per cubic foot of air, and this was the recommendation through the year 1968 or 1969.

DATED this 21 day of January, 1971.

BARNES & BARNES

BY Robert E. Barnes

Post Office Box 5098,
Beaumont, Texas 77706,
Telephone 833-8601,
Attorneys for Ruberoid Company.

THE STATE OF TEXAS
COUNTY OF JEFFERSON

Robert E. Barnes, being duly sworn, on oath says that he is the attorney of record for the Defendant, Ruberoid Company, in the above causes, and as such is duly authorized to make, file and serve the foregoing answers to the interrogatories indicated in 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.

Robert E. Barnes

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this the 21st day of January, 1971.

Beatrice L. Engel
Notary Public in and for
Jefferson County, Texas.

The Borel v. Fibreboard Case File (1969-1972), Answer to plaintiffs' joint interrogatories
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon Mr. Ward Stephenson, Stephenson Building, Orange, Texas, Attorney for Plaintiff, by mailing the same to his address on the 21 day of January, 1971, and a copy was served on each and all other counsel of record by depositing the same in the United States mail properly addressed, with postage paid, on the 21 day of January, 1971.

Robert E. Barnes.

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