IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
NOV 5 1971
JAMES R. COONEY, CLERK
BY DEPUTY Margaret Driver

CLARENCE BOREL)
)
VS.)
)
FIBREBOARD PAPER PRODUCTS)
CORPORATION, ET AL)

CIVIL ACTION

NO. 6449

INTERLOCUTORY JUDGMENT

BE IT REMEMBERED that in the above-entitled and numbered cause, it was made known to the Court that the Defendant, UNARCO INDUSTRIES, INC., had entered into a final compromise and settlement of all claims and causes of action asserted against it by THELMA FRIEDA BOREL, a widow, as well as having disposed of the claim asserted in the intervention of NATIONAL SURETY CORPORATION, under the terms of which UNARCO INDUSTRIES, INC., paid FIVE THOUSAND AND NO/100 ($5,000.00) DOLLARS to THELMA FRIEDA BOREL and her attorney, WARD STEPHENSON, and additionally paid to NATIONAL SURETY CORPORATION and its attorney, the sum of ONE THOUSAND TWO HUNDRED TWENTY-FIVE AND 55/100 ($1,225.55) DOLLARS, and in consideration of such payment THELMA FRIEDA BOREL finally and fully released said Defendant, UNARCO INDUSTRIES, INC., reserving, however, all of her claims and causes of action against the remaining Defendants herein, to-wit: Fibreboard Paper Products Corporation, Combustion Engineering, Inc., Johns-Manville Products Corporation, Pittsburgh Corning Corporation, Philip Carey Corporation,

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Armstrong Contracting & Supply Corporation, Ruberoid Company and Armstrong Cork Company, and others who did not participate in or contribute to such settlement; and it appearing to the Court that said Defendant, UNARCO INDUSTRIES, INC., has finally discharged any and all claims which were or might have been asserted against it, including the claims asserted by way of intervention and cross-action, and the Court having determined that said Defendant, UNARCO INDUSTRIES, INC., should be in all things dismissed from this suit, both as to the Plaintiff's cause of action and the intervention asserted by National Surety Corporation, and that the suit and claim of THELMA FRIEDA BOREL, a widow, and the intervention of National Surety Corporation should continue against Fibreboard Paper Products Corporation, Combustion Engineering, Inc., Johns-Manville Products Corporation, Pittsburgh Corning Corporation, Philip Carey Corporation, Armstrong Contracting & Supply Corporation, Ruberoid Company and Armstrong Cork Company, and others, alone;

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the said suit and claim of THELMA FRIEDA BOREL, Plaintiff, and the claim and intervention of National Surety Corporation, against the Defendant, UNARCO INDUSTRIES, INC., be and the same is hereby, in all things, DISMISSED.

This judgment is entered as an interlocutory judgment and will not be final until final judgment is entered on the remainder of the case.

1986

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SIGNED, RENDERED AND ENTERED as an interlocutory judgment on this the 5th day of November, 1971.

Chief Judge, United States District Court

APPROVE AND AGREED TO:

STEPHENSON & THOMPSON

By _____
Attorneys for Thelma Frieda Borel, a Widow

GEORGE E. MURPHY

By _____
Attorney for National Surety Corporation, Intervenor

VINSON, ELKINS, SEARLS & SMITH

By _____
Gerald P. Coley
Attorneys for Unarco Industries, Inc.

1987

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FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL

INTERLOCUTORY JUDGMENT

GERALD P. COLEY
VINSON, ELKINS, SEARLS & SMITH
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HOUSTON, TEXAS 77002

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