Bond No. 61 S 21703 BCA

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
DEC 8 1971
JAMES R. COONEY, CLERK
BY DEPUTY Mildred A. Verret

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

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

BOND FOR COSTS ON APPEAL

We, the undersigned, jointly and severally, acknowledge that we and our personal representatives are bound to pay Thelma Freida Borel, plaintiff, and National Surety Corporation, intervenor, the sum of TWO HUNDRED FIFTY AND NO/100 ($250.00) DOLLARS.

The condition of this Bond is that, whereas defendant has appealed to the Court of Appeals for the Fifth Circuit by Notice of Appeal filed December 8TH, 1971, from the Judgment of this Court entered November 30, 1971, if defendant shall pay all costs adjudged to it if this appeal is dismissed or the judgment affirmed, or shall pay such costs as the Appellate Court may award if the judgment is modified, and upon such payment this Bond is to be void, but if defendant fails to perform this condition, payment of the amount of this Bond shall be forthwith.

ARMSTRONG CORK COMPANY, PRINCIPAL

By _____
ATTORNEY OF RECORD

THE AETNA CASUALTY AND SURETY COMPANY

BY _____
Jo Newbern SURETY Attorney-in-Fact

2013

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Taken and acknowledged as to the Principal, Armstrong Cork Company, by the attorney of record, before me, the undersigned authority, on this, the 3rd day of December, 1971. My commission expires June 1, 1973.

Barbara J. Hull
NOTARY PUBLIC IN AND FOR
HARRIS COUNTY, T E X A S

Taken and acknowledged as to the Surety, The Aetna Casualty and Surety Company, before me, the undersigned authority, on this 3rd day of December, 1971. My commission expires June, 1973.

Marlene Hucks
NOTARY PUBLIC IN AND FOR
Houston, TEXAS

2014

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Ætna
LIFE & CASUALTY

THE ÆTNA CASUALTY AND SURETY COMPANY
Hartford, Connecticut 06115

POWER OF ATTORNEY AND CERTIFICATE OF AUTHORITY OF ATTORNEY(S)-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, THAT THE ÆTNA CASUALTY AND SURETY COMPANY, a corporation duly organized under the laws of the State of Connecticut, and having its principal office in the City of Hartford, County of Hartford, State of Connecticut, hath made, constituted and appointed, and does by these presents make, constitute and appoint **John E. Stuntz or Jo Newbern - -**

of **Houston, Texas** , its true and lawful Attorneys-in-Fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any place within the United States, or, if the following line be filled in, within the area there designated , the following instrument (s):
by his sole signature and act, any and all bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any and all consents incident thereto **not exceeding the sum of FIFTY THOUSAND ($50,000.00) DOLLARS -**

and to bind THE ÆTNA CASUALTY AND SURETY COMPANY, thereby as fully and to the same extent as if the same were signed by the duly authorized officers of THE ÆTNA CASUALTY AND SURETY COMPANY, and all the acts of said Attorneys-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This appointment is made under and by authority of the following provisions of the By-Laws of the Company which provisions are now in full force and effect and are the only applicable provisions of said By-Laws:

ARTICLE IV—Section 8. The President, any Vice President, or any Secretary may from time to time appoint Resident Vice Presidents, Resident Assistant Secretaries, Attorneys-in-Fact, and Agents to act for and on behalf of the Company and may give any such appointee such authority as his certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors may at any time remove any such appointee and revoke the power and authority given him.

ARTICLE IV—Section 10. Any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President or a Vice President or by a Resident Vice President, pursuant to the power prescribed in the certificate of authority of such Resident Vice President, and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary or by a Resident Assistant Secretary, pursuant to the power prescribed in the certificate of authority of such Resident Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact pursuant to the power prescribed in his or their certificate or certificates of authority.

This Power of Attorney and Certificate of Authority is signed and sealed by facsimile under and by authority of the following Resolution voted by the Board of Directors of THE ÆTNA CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 22nd day of November, 1968.

VOTED: That the signature of William O. Bailey, Senior Vice President, or of Andrew H. Anderson, Vice President, or of D. N. Gage, Assistant Vice President, or of Neil H. Pfanstiel, Secretary, or of Benjamin I. Radding, Secretary, or of Curtis K. Shaw, Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, THE ÆTNA CASUALTY AND SURETY COMPANY has caused this instrument to be signed by its **Secretary** , and its corporate seal to be hereto affixed this **23rd** day of **July** , 19**71**

THE ÆTNA CASUALTY AND SURETY COMPANY

State of Connecticut }
County of Hartford } ss. Hartford

THE ÆTNA CASUALTY AND SURETY COMPANY HARTFORD, CONN.

By Benjamin I Radding
Secretary

On this **23rd** day of **July** , 19**71** , before me personally came **BENJAMIN I. RADDING** , to me known, who, being by me duly sworn, did depose and say: that he is **Secretary** of THE ÆTNA CASUALTY AND SURETY COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; and that he executed the said instrument on behalf of the corporation by authority of his office under the By-Laws thereof.

MARY J. KINGSTON NOTARY PUBLIC HARTFORD, CONN.

Mary J Kingston
Notary Public

My commission expires March 31, 19 75

CERTIFICATE

I, the undersigned, **Secretary** of THE ÆTNA CASUALTY AND SURETY COMPANY, a stock corporation of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that Article IV—Sections 8 and 10, of the By-Laws of the Company, and the Resolution of the Board of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this **3rd** day of **December** , 19 **71**

THE ÆTNA CASUALTY AND SURETY COMPANY HARTFORD, CONN.

Benjamin I. Radding
Secretary

(S-1922-B) (M) 1-69

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2015

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FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL	§	

FULBRIGHT, CROOKER & JAWORSKI
ATTORNEYS AT LAW
BANK OF THE SOUTHWEST BUILDING
HOUSTON, TEXAS 77002

BOND FOR COSTS ON APPEAL

Armstrong Cork Company