IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
FEB 11 1972
JAMES R. COONEY, CLERK
BY DEPUTY Virginia R. Sons

CLARENCE BOREL §

VS. §

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL §

CIVIL ACTION 6449

Defendants, Fibreboard Corporation, Pittsburgh Corning Corporation, Johns-Manville Products Corporation, Philip Carey Corporation, Armstrong Cork Company and Ruberoid Company, file this their objection to the inclusion in the Appendix to briefs of the item designated under (3) of plaintiff's designation, to wit, "Plaintiff's Brief in Reply to Defendant's Brief filed 10/26/71." The plaintiff's brief filed in the trial court is unnecessary for the determination of the issues presented by this appeal and defendants object to the reproduction thereof in the Appendix and request that if the same is included the cost thereof be taxed against the plaintiff.

GEO. A. WELLER, ATTORNEY FOR DEFENDANT FIBREBOARD CORPORATION

GEORGE E. DUNCAN, ATTORNEY FOR DEFENDANT PITTSBURGH CORNING CORPORATION

GORDON R. PATE, ATTORNEY FOR DEFENDANT JOHNS-MANVILLE PRODUCTS CORPORATION

JOHN G. TUCKER, ATTORNEY FOR DEFENDANT JOHNS-MANVILLE PRODUCTS CORPORATION

W. N. ARNOLD, ATTORNEY FOR DEFENDANTS PHILIP CAREY CORPORATION AND ARMSTRONG CORK COMPANY

ROBERT E. BARNES, ATTORNEY FOR DEFENDANT RUBEROID COMPANY

BY James Tucker
JOHN G. TUCKER
who signs this objection in behalf of all Appellants

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The foregoing objection to plaintiff's designation was served by mailing a copy thereof in the United States mails on February 10th, 1972 , to plaintiff's attorney, Mr. Ward Stephenson, Stephenson Building, Orange, Texas 77630, and to Mr. George Murphy, attorney for intervenor, Charter Oaks Fire Insurance Company, San Jacinto Building, Beaumont, Texas 77701.

Of Counsel

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Robert E. Barnes Jr

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BEAUMONT, TEXAS 77706
ATTORNEYS FOR DEFENDANT
RUBEROID COMPANY

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Amended Designation of Documents was served on Mr. Ward Stephenson, Stephenson & Thompson, Stephenson Building, Orange, Texas, 77630, attorney for Plaintiff, by mailing a copy by certified mail, return receipt requested, to said address on the 10th day of February, 1972.

OF COUNSEL

The Borel v. Fibreboard Case File (1969-1972), Objections to a document in plaintiff's designation
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