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

FILED
M. July 7 1969
James R. Gooney, Clerk, U. S. Court
By Myra Barton
DEPUTY

SAMUEL R. POTTER	)	
	)	
VS.	)	CIVIL ACTION NO. 6329
	)	
FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL	)	

CROSS-ACTION OF DEFENDANT,
UNARCO INDUSTRIES, INC.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Unarco Industries, Inc., one of the Defendants herein, and supplementing its Original Answer to Plaintiff's Original Complaint, and complaining of COMBUSTION ENGINEERING, INC., R. & L. REFRACTORY AND INSULATION CORPORATION, JOHNS-MANVILLE PRODUCTS CORPORATION, OWENS-CORNING FIBER GLASS CORPORATION, EAGLE-PICHER INDUSTRIES, INC., PITTSBURGH CORNING CORPORATION, FIBREBOARD PAPER PRODUCTS CORPORATION, PHILIP CAREY CORPORATION and ARMSTRONG CONTRACTING AND SUPPLY CORPORATION, all hereinafter called Cross-Defendants, would respectfully show unto the Court and Jury the following:

I.

This Defendant says that if Plaintiff sustained any injuries or damages as alleged as the result of any act or omission on the part of the Defendant, Unarco Industries, Inc., which this Defendant specifically denies, then such injury and damages was caused or proximately caused or contributed to by the acts and omissions of the remaining Defendants named above, and each of them, and if any judgment is entertained herein against the Defendant, Unarco Industries, Inc., then in such event, this Defendant is entitled to indemnity from each

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and all of the other Defendants; or, in the alternative, is entitled to contribution against each and all of the other Defendants in accordance with the provisions of Article 2212, Vernon's Annotated Civil Statutes of Texas.

II.

This Defendant adopts and alleges each and every act against the Cross-Defendants herein as is alleged in Plaintiff's Original Complaint against each and all of said Defendants.

WHEREFORE, this Defendant prays judgment of the Court that Plaintiff take nothing against it and that it go hence with its costs; in the alternative, that it have judgment for indemnity; or, in the further alternative, that it have judgment for contribution as set forth above.

Respectfully submitted,

VINSON, ELKINS, SEARLS & CONNALLY

By: Gerald P. Coley

Gerald P. Coley
First City National Bank Bldg.
Houston, Texas 77002-225-2411
ATTORNEYS FOR THE DEFENDANT,
UNARCO INDUSTRIES, INC.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Cross-Action of the Defendant, Unarco Industries, Inc., against all other Defendants, was mailed by Certified Mail, return receipt requested,

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on this the 3rd day of July, 1969, to the following attorneys of record.

Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas

Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77001

Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas 77704

Mr. Dale Dowell
King, Sharfstein & Rienstra
707 Beaumont Savings Building
Beaumont, Texas 77701

Mr. George E. Duncan
Wells, Duncan, Beard, Greenberg & Hunt
515 Beaumont Savings Building
Beaumont, Texas 77701

Mr. Frank Bean
Bean & Manning
500 Jefferson Building
Houston, Texas 77002

Mr. George A. Weller
Weller, Wheelus & Green
Goodhue Building
Beaumont, Texas 77704

Gerald P. Coley
Attorney for the Defendant, Unarco Industries, Inc.

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VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL

CROSS-ACTION OF DEFENDANT, UNARCO INDUSTRIES, INC.

VINSON, ELKINS, SEARLS & CONNALLY
ATTORNEYS AT LAW
FIRST CITY NATIONAL BANK BUILDING
HOUSTON, TEXAS 77002

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