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

FILED
M. July 14 1969
James R. Courtney, Clerk, U. S. Court
By Myra Barton DEPUTY

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

ANSWER OF UNARCO INDUSTRIES, INC. TO
SEPARATE CROSS-ACTION OF PITTSBURGH
CORNING CORPORATION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW UNARCO INDUSTRIES, INC., successor in interest to Union Asbestos and Rubber Company, one of the Defendants herein, having heretofore filed an Answer to the Cross-Action of Pittsburgh Corning Corporation against Unarco Industries, Inc., together with all of the other Defendants herein, and now Unarco Industries, Inc. files this its Answer to the separate Cross-Action of Pittsburgh Corning Corporation against Unarco Industries, Inc. and would respectfully show unto the Court the following:

I.

In answer to Paragraph I of the separate Cross Action of Pittsburgh Corning Corporation, Cross-Defendant Unarco Industries, Inc.,says that it can neither admit nor deny the allegations therein contained because it does not have personal knowledge of the citizenship of Pittsburgh Corning Corporation.

II.

Cross-Defendant Unarco Industries, Inc. admits the allegations contained in Paragraph II of said Cross-Action.

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III.

In answer to Paragraphs III and IV of the Cross-Action, Cross-Defendant Unarco would show that it is not required to respond to such allegations and facts inasmuch as such facts contained therein are merely a recital of the nature of the claim brought by Plaintiff against the Defendant Pittsburgh Corning Corporation and other Defendants, all of which has been denied by the Defendant Pittsburgh Corning and all of which is here and now denied generally by Cross-Defendant Unarco.

IV.

In answer to Paragraph V of said Cross-Action, Cross-Defendant admits that it did at certain times manufacture an insulation material having a trade name of UNIBESTOS, but otherwise denies the remaining allegations contained in said Paragraph pertaining to contact with said insulation material by Plaintiff.

V.

In answer to Paragraph VI of said Cross-Action, Cross-Defendant Unarco admits the allegations pertaining to the sale of the plant, patents and patent applications and the purchase of said plant in Tyler, Texas in 1962, but otherwise denies all remaining allegations contained in said paragraph.

VI.

Cross-Defendant Unarco denies the allegations contained in Paragraph VII of the Cross-Action of Pittsburgh Corning Corporation.

VII.

In answer to Paragraph VIII of said Cross-Action, Cross-

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Defendant Unarco denies the allegations contained therein and specifically denies that the alleged indemnity provision has any application under the facts of this case and further denies that the Cross-Plaintiff Pittsburgh Corning is entitled to any form of contractual indemnity as pertains to this cause of action.

VIII.

In answer to Paragraph IX of said Cross-Action, Cross-Defendant Unarco denies the allegations contained therein and the relief prayed in the concluding paragraph of said Cross-Action.

WHEREFORE, premises considered, Cross-Defendant Unarco Industries, Inc. prays judgment of the Court that the Cross-Plaintiff, Pittsburgh Corning Corporation, take nothing by its Cross-Action and that it go hence without day and recover its costs in its behalf expended and for such other and further relief as the Cross-Defendant may show itself justly entitled.

Respectfully submitted,

VINSON, ELKINS, SEARLS & CONNALLY

By: _____
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Houston, Texas 77002-225-2411
ATTORNEYS FOR CROSS-DEFENDANT,
UNARCO INDUSTRIES, INC.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Answer of Unarco Industries, Inc. to Separate Cross-Action of Pitts-

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burgh Corning Corporation has been mailed on this the 11th

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