FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
NOV 19 1969
JAMES R. COONEY, CLERK
BY DEPUTY Evelyn G. Walker

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

SAMUEL R. POTTER, PLAINTIFF

VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL, DEFENDANTS

CIVIL ACTION NO. 6329

CROSS-ACTION OF DEFENDANT, OWENS-CORNING FIBERGLAS CORPORATION

Comes now Owens-Corning Fiberglas Corporation, one of the defendants in the above styled and numbered action, and files this its cross-action against Fibreboard Paper Products Corporation, Combustion Engineering, Inc., Johns-Manville Products Corporation, Eagle-Picher Industries, Inc., Pittsburgh Corning Corporation, Unarco Industries, Inc., Philip Carey Corporation, Armstrong Contracting & Supply Corporation, Standard Asbestos Manufacturing & Insulating Company and Ruberoid Company, all hereinafter called cross-defendants, and for cross-action would show this Honorable Court the following:

-1-

Defendant, Owens-Corning Fiberglas Corporation alleges and avers that if plaintiff sustained any injury as a result of any act or omission on the part of this defendant, Owens-Corning Fiberglas Corporation, which defendant specifically denies, then such injury was proximately caused and contributed to be caused by the acts and omissions of the remaining defendants above named and each of them, and if any judgment is entered herein against this defendant, Owens-Corning Fiberglas Corporation, then, and in such event, this defendant is entitled to indemnity from each and all of the other co-defendants; or, in the alternative, is entitled to contribution against each and all of the other co-defendants in accordance with the provisions of Article 2212 of Vernon's Annotated Civil Statutes of Texas.

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This defendant adopts and alleges each and every act against the cross-defendants as alleged in the Plaintiff's First Amended 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; in the further alternative, that it have judgment for contribution as set forth above, and for such other and further relief in the premises as this defendant may show itself justly entitled to receive.

KING, SHARFSTEIN & RIENSTRA

BY: Hale Harwell

707 Beaumont Savings Building
Beaumont, Texas
Attorneys for Defendant,
Owens-Croning Fiberglas
Corporation

CERTIFICATE OF SERVICE

A copy of this Cross-Action was mailed to Mr. Ward Stephenson, Stephenson Building, Orange, Texas, attorney for plaintiff, by certified mail on the 12th day of November, 1969, and a copy of the Cross-Action was mailed to all other counsel for defendants of record on the same date.

Hale Harwell
OF COUNSEL

The Potter v. Fibreboard Case File (1969-1972), Cross-action
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CROSS-ACTION OF DEFENDANT, OWENS-CORNING FIBERGLAS CORPORATION

KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701