Clerk's Orig.

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
DEC 22 1969
JAMES R. COONEY, CLERK
BY DEPUTY Myra Barton

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

ANSWERS OF THE DEFENDANT, FIBREBOARD CORPORATION, TO INTERROGATORIES PROPOUNDED BY PLAINTIFF

TO THE PLAINTIFF, SAMUEL R. POTTER, AND MR. WARD STEPHENSON, STEPHENSON, THOMPSON & MORRIS, STEPHENSON BUILDING, ORANGE, TEXAS, HIS ATTORNEY OF RECORD:

Defendant, Fibreboard Corporation, sued herein as Fibreboard Paper Products Corporation, in response to interrogatories propounded under Rule 33, Federal Rules of Civil Procedure, served on defendant's counsel on or about October 13, 1969, herein files its answers to such interrogatories. Such answers to each interrogatory bears the same number as the request:

INTERROGATORY NO. 1:

Please give the names and trade names of all types of insulating materials manufactured by you, giving the dates that you began to manufacture such materials, starting in 1940, a description of the materials and what they contain.

ANSWER:

1. a. Prasco Pipe Covering, Block, Cement. These products were manufactured from 1940 to January 1957 and contained 85% diatamaceous earth and 15% asbestos.

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b. 85% Magnesia (Precision Molded) Pipe Covering, Block, Cement. These products were manufactured from 1941 until 1966 and contained 85% Basic Magnesium Carbonate with 15% Asbestos.

c. Caltemp and Super Caltemp (Precision Molded) Pipe Covering, Block, Cement. Caltemp was manufactured from 1950 to 1968 and Super Caltemp from 1968 to the present. Both contain Hydrous Calcium Silicate with less than 15% Asbestos.

d. F. I. Cement and #127 Cement. F. I. Cement was manufactured from 1963 to 1966 and #127 Cement from 1966 to the present. Both contain Hydrous Calcium Silicate with mineral binders and less than 5% Asbestos.

INTERROGATORY NO. 2:

Did you ever at any time give warnings to workers of the dangerous nature of your products? If so, describe your warnings and to whom such warnings were given.

ANSWER:

2. This question is objected to as argumentative and this defendant denies that the products manufactured by it were of a dangerous nature, and says that each of the products manufactured by it were suitable and reasonably fit for the purpose for which the products were intended.

INTERROGATORY NO. 3:

What studies have you made to determine the effect of your products on the lungs and physical condition of persons employed as insulators and asbestos workers who use your products?

ANSWER:

3. No studies have been made directly by this defendant. Studies have been made by scientists engaged by the United States Government and others.

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INTERROGATORY NO. 4:

Who made such studies, when were they made, and attach copies of the reports of such studies.

ANSWER:

4. See answer to No. 3.

INTERROGATORY NO. 5:

Did you package and sell any products containing asbestos from the years 1940 to 1967? If so, how were the products sold, how were the products packaged, and were these products universally used throughout the United States?

ANSWER:

5. Yes. These products were sold to distributors, contractors and agencies of the United States Government. The products were packaged in cartons or bags. The products were not sold universally throughout the United States.

INTERROGATORY NO. 6:

If these products were used primarily in any specific location or area, please explain where such products were primarily used.

ANSWER:

6. These products were sold primarily in the west and mid-west for use in new construction of refineries, petrochemical plants and power plants.

INTERROGATORY NO. 7:

Do you recognize that prolonged use of the insulating materials manufactured by you can cause or contribute to cause various occupational diseases, including asbestosis, silicosis and dermatitis?

ANSWER:

7. This question is objected to as argumentative,

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ambiguous, unintelligible and irrelevant to the issues in this case. Assuming the word "use" is being utilized in its normal usage, the answer is no.

INTERROGATORY NO. 8:

Has your company done any studies or has your company conducted any studies concerning the effects of inhalation of asbestos dust or fibers by one using or being exposed to any of the asbestos materials manufactured by your company? In answer to this question, please give the date and nature of your studies, if any, the name or names of the persons conducting the studies and their address, what the purpose of the studies were, and attach a copy of any report based upon such studies, showing to whom such report was given and when.

ANSWER:

8. No studies have been made directly by this defendant. Studies have been made by scientists engaged by the United States Government and others.

INTERROGATORY NO. 9:

Have you or any of your employees conducted studies designed to minimize or eliminate the inhalation of asbestos dust and fibers by those exposed to the use of your company's products? If so, give the name or names of such persons conducting such studies, attach copies of such studies, by whom they were made, and to whom they were given, and when, and state what action, if any, was taken based upon such studies in an effort to minimize or eliminate the effects of inhalation of asbestos dust or fibers upon those using or being exposed to the dust and fibers contained in such products as manufactured by your company.

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ANSWER:

9. No.

INTERROGATORY NO. 10:

Do you or your company have any regular inspection of areas where workers are using products manufactured by your company containing asbestos as to the dust count? If you do not, then please explain why this is not done, and if you do, please explain what action, if any, is taken by your company following the taking of dust counts at any of the locations referred to above. Also please give the dates, if any, that your company first started making this dust count.

ANSWER:

10. We do not regularly inspect the area where workers are using products manufactured by our company. Scientists engaged by the United States Government and others, as well as published literature, indicate that in areas where workers are using our products dust counts have been below the threshold limit values set by the American Conference of Governmental Industrial Hygienists.

INTERROGATORY NO. 11:

Does your company recognize that as early as the year 1900 Dr. H. Montague Murray, a physician in London's Charing Cross Hospital, found spicules of asbestos in the lung tissue? If you agree with this, then state what action, if any, your company has taken since 1900 to reduce or eliminate the dangers to those using your asbestos products from inhaling the dust and fibers.

ANSWER:

11. Objected to. This question is argumentative, ambiguous, irrelevant and immaterial.

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INTERROGATORY NO. 12:

Does your company recognize that in 1924, Dr. W. E. Cook, also of England, found clear evidence of asbestosis and that such discovery was published in the British Medical Journal of July 26, 1924, and re-published in 1927? If you do, then please state what action, if any, was taken by your company based upon these studies to reduce or eliminate asbestosis in those using your products. If your answer is that you do not recognize the truth of such statement, then please state what your company has done in an effort to keep abreast of medical literature concerning the disease produced from the products which you manufacture, if in truth you have.

ANSWER:

12. Objected to. This question is argumentative, ambiguous, irrelevant and immaterial.

INTERROGATORY NO. 13:

Does your company recognize that in 1931, an English Parliament passed legislation making asbestosis a compensable disease and requesting improved methods of exhaust ventilation and dust suppression in asbestos-textile factories, and also instituted periodical medical examinations for workers engaged in particularly dusty processes in the asbestos-textile industry? If you do recognize the truth of the statement above, please state what action, if any, your company took in response to such knowledge in an effort to reduce or eliminate the effects of asbestos to those using your products. If you do not recognize the truth of such statement, then please state why your company did not keep in touch with legislation and programs adopted endeavoring to reduce or eliminate the disease of asbestosis in those

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using asbestos products.

ANSWER:

13. Objected to. This question is argumentative, ambiguous, irrelevant and immaterial.

INTERROGATORY NO. 14:

Do you agree that once asbestos fibers or dust are inhaled into the lungs, there is no way to eliminate such dust or fibers from the lungs for the balance of such person's life?

ANSWER:

14. No.

INTERROGATORY NO. 15:

What technique, if any, does your company use to make dust samplings, explaining the technique and when it was commenced and what the purpose was and what action has been taken in response to the findings as to the dust samples.

ANSWER:

15. We do not make dust samplings in the field.

INTERROGATORY NO. 16:

Does your company recognize that asbestos causes asbestos-induced lung cancer? If your answer is "Yes", when did you come to such realization and what action did you take in response thereto? If your answer is "No", then please explain why no studies were made by your company to ascertain that this fact was indeed true and thereafter to take action to advise those exposed to your products of their dangerous nature.

ANSWER:

16. This question is objected to as irrelevant and immaterial in that plaintiff does not claim he has asbestos-induced cancer.

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INTERROGATORY NO. 17:

Does your company recognize there is a direct connection between the inhalation of asbestos dust and fibers and the disease mesothelioma? If your answer is "Yes" to this question, then please advise what notices were given to those exposed to your asbestos products of this fact.

ANSWER:

17. This question is objected to as irrelevant and immaterial in that plaintiff does not claim he has the disease mesothelioma.

INTERROGATORY NO. 18:

Does your company place any warning signs on its asbestos products? If so, please state exactly what the warning is, where it is used, and when its use was first begun. If your answer to this question is "Yes", then please explain why your company uses such warning notices?

ANSWER:

18. Yes. Since 1966 containers of our products have had the following warning labels on them - "This product contains asbestos fibers. If dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirator approved by U. S. Bureau of Mines." We were of the opinion that this information should be transmitted to workers using the product if they did not already have this information. We began the use of this printing at the suggestion of an industrywide committee.

INTERROGATORY NO. 19:

Do you agree that asbestos has been directly associated medically with the disease of cor pulmonale?

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ANSWER:

19. Objected to. This question is irrelevant and immaterial in that plaintiff does not claim he has cor pulmonale.

INTERROGATORY NO. 20:

Does your company recognize that asbestos fiber exists for an infinity of years? In other words, unlike some dangerous products, it does not eventually dissipate or reduce itself in danger to those who might be exposed to it?

ANSWER:

20. Nothing exists for an infinity of years. Asbestos is certainly a durable material.

INTERROGATORY NO. 21:

Does your company recognize that year-by-year, more asbestos is used in the United States, and therefore the public is thereby exposed to a greater and greater extent to the inhalation of asbestos dust and fiber? If your answer is "Yes", then please state what action your company has taken to reduce or eliminate this danger and what action, if any, you have taken to notify the public at large of this danger?

ANSWER:

21. We recognize more asbestos is being used, but as to the rest of the question we answer no.

INTERROGATORY NO. 22:

Has your company consulted with Dr. Irving J. Selikoff, of New York, New York, concerning asbestosis, and if so, please state when and under what circumstances and what information, if any, was furnished by your company, giving dates, to him.

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ANSWER:

22. No.

INTERROGATORY NO. 23:

Does your company contribute any funds to research concerning asbestos and its relation to lung and larynx disease? If so, please state the amount of money contributed, when and to whom, attaching any report or reports from such individual or organization to whom your funds were contributed.

ANSWER:

23. Not directly.

INTERROGATORY NO. 24:

Do you have any labor inspectors or anyone from your company whose job it is to go to areas where your products are being used to make a dust level count, and if so, please state when your company started such procedure, the purpose of it, and what action, if any, was taken in response to your findings.

ANSWER:

24. No. See answer to No. 10.

INTERROGATORY NO. 25:

Is your company familiar with the hearing conducted in March, 1967, before the House of Representatives of the United States Congress Sub-Committee on Labor?

ANSWER:

25. No.

INTERROGATORY NO. 26:

Do you agree that the problem of asbestos dust extends further than to those merely using your products but that the exposure is shared with other construction workers as well?

ANSWER:

26. Objected to on the basis the question assumes a fact not in evidence; that is, the "problem of asbestos

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dust." It is also ambiguous in that the "problem" is not defined. In addition, it is argumentative, irrelevant and immaterial.

INTERROGATORY NO. 27:

If your answer to the preceding Interrogatory No. 26 is "No", then please state whether or not you have familiarized yourself with Dr. William H. Stewart, Surgeon-General of the United States, testifying before the Committee mentioned above that probably three and one-half million construction workers are being exposed to asbestos dust in addition to those workers actually using the materials containing asbestos?

ANSWER:

27. See answer to No. 26.

INTERROGATORY NO. 28:

Do you recognize or agree that the problems of air laden with asbestos dust is so great that possibly millions of the people in the United States are being exposed to the inhalation of asbestos dust who have nothing to do with its use or application? If your answer is "Yes" then please advise what action your company has taken, if any, to advise the general public of the dangerous nature of asbestos and what steps have been taken to endeavor to protect the general public from the dangerous effects of the inhalation of the asbestos dust and fibers, when such action was taken, and what it consists of.

ANSWER:

28. See answer to No. 26.

INTERROGATORY NO. 29:

Is it possible with all of your products containing asbestos to distinguish your products from those manufactured by a competitor? If your answer is "Yes", please describe how you contend your products in all instances can

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be distinguished from that of a competitor. If there are products which cannot be, in your opinion, distinguished from products of a similar kind manufactured by a competitor, please state the name of such product, who manufactures it, as well as the product manufactured by your competitor.

ANSWER:

29. It is possible in most cases to distinguish our products by color and appearance.

INTERROGATORY NO. 30:

It is true, is it not, that most of the products manufactured by your company containing asbestos will in most instances have to be cut, sawed, scribed, shaped or mixed by the ultimate user and his employees?

ANSWER:

30. No.

INTERROGATORY NO. 31:

Please give the state of incorporation of your company, the date it was organized, and the domicile of your company at this time.

ANSWER:

31. Delaware, November 19, 1917; San Francisco.

INTERROGATORY NO. 32:

How many years has your company been engaged in the manufacture of products containing asbestos and which are commonly used by insulators and asbestos workers?

ANSWER:

32. Approximately 40 years.

INTERROGATORY NO. 33:

If you, your company, or your company's attorneys, contend that any respirators or other breathing device is currently on the market that will prevent the inhalation of

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asbestos dust and fibers, give the detailed description of such respirator or other breathing device, together with how you know this will prevent the inhalation of such dust and fibers, what tests were conducted, by whom and where, with sufficient detail to enable us to obtain the results of such tests.

ANSWER:

33. Defendant contends that respirators are currently on the market which will materially reduce inhalation of asbestos dust and fibers. Such respirators are available under the United States Bureau of Mines Schedule 21B. Tests upon which said approval are based were designed and conducted by that governmental agency and are described in the Respiratory Protective Devices Manual published by the American Industrial Hygiene Association, American Conference of Governmental Hygienists, 1963. One such respirator, "Dustfoe 77", Catalog No. 10-9600, is manufactured by the Mine Safety Applicances Company.

INTERROGATORY NO. 34:

It is true, is it not, that your company has for many years manufactured insulating materials containing asbestos and that such products have been placed upon the open market to be purchased and used by the public?

ANSWER:

34. Products have been manufactured for years, but are not placed on the open market to be purchased and used by the public.

INTERROGATORY NO. 35:

Do you or your company recognize that such asbestos insulating materials are dangerous and harmful to human beings and to the health of man? If your answer to this

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question is "Yes" then please explain when you came to this conclusion and what, if anything, you have done about it to notify the public. If your answer is that your products are not harmful then explain what tests were made upon which you base such conclusion.

ANSWER:

35. We do not believe our calcium silicate insulation products are harmful or dangerous in themselves. We rely on tests conducted by the American Conference of Governmental Industrial Hygienists and scientists employed by the United States Government and others.

INTERROGATORY NO. 36:

Please state whether or not your company has had knowledge of any deaths or serious lung disease among your employees which has been attributed to the inhalation of asbestos dust or fibers. If so, please give the number, the name where known, and address of such persons, together with the name and address of the doctor who administered treatment to such persons, if known.

ANSWER:

36. Two cases of lung disease in a manufacturing company acquired by Fibreboard:

(1) Paul DeBenedetti
1021 Hilton
Redwood City, California

Physician: E. F. Rowles
Medical Plaza
Suite B-3
1101 Welch Road
Palo Alto, California

(2) John Peretti
1099 Tulane Avenue
San Leandro, California

Physician: George Stevens
1826 B Street
Hayward, California

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INTERROGATORY NO. 37:

Assume for the purpose of this question that it has been known for many years that asbestos dust and fibers have been dangerous to human beings: Assuming the truth of such statement, has your company done anything prior to 1966 to notify any segment of the American population of such danger? If so, please explain what.

ANSWER:

37. Objected to as argumentative, ambiguous, irrelevant, immaterial. It also assumes facts not in evidence.

INTERROGATORY NO. 38:

If your company manufactures any insulating products which are commonly used by insulators and which contain asbestos, please describe how the following products are cut, shaped, mixed and applied on the jobs:

(1) Asbestos cement;

(2) Asbestos pipe covering;

(3) Asbestos bricks or blocks;

(4) Asbestos sheeting;

(5) Asbestos insulation used to cover extremes of heat as well as cold;

(6) Asbestos insulation in loose form which may be blown into homes or buildings;

(7) Asbestos in spray form.

giving particular reference as to whether or not the materials have to be sawed or cut on the job, blown into confined areas, or mixed with water into a cement or paste. Then please state if there is any way known to you that the above products can be used and applied without the worker inhaling any of the asbestos dust or fibers.

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ANSWER:

38. We do not make the products described in the seven examples. Our Super Caltemp is for the most part applied in the field as it is taken out of the shipping carton. When it becomes necessary to cut the pipe covering or block this is done in two ways. Almost all cutting for mitreing or tees or short sections, etc. is done on a band saw in an area where dust is expected to be controlled and away from the worker. When it becomes necessary to cut on the job at the point of application, the applicator will use a hand saw for this operation.

Our cements are mixed by pouring, from the 50 lb. sealed shipping bag into a pail or into a plasterer's type mixing box, enough dry cement to satisfy the immediate requirements of the job. Water is then added with mixing until the proper consistency is obtained.

Our Super Caltemp is Precision Molded with a hard rind surface which is relatively dust free and any dust generated during the trimming operation in our process is removed before it is packed. Having mixed our cements with water, there is no dust present. Therefore these products can be used without contributing dust to the environment.

INTERROGATORY NO. 39:

Do you have any statistical figures available showing the number of employees employed with your company who are exposed to asbestos dust and fibers and who have worked for your company twenty years or longer who have lung disease? If so, please give such figures.

ANSWER:

39. These statistics are not presently available but if they can be ascertained, they will be furnished plaintiff.

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INTERROGATORY NO. 40:

If you have available, do you have any medical information or information of your own knowledge, concerning the most common cause of death of one having asbestosis, then please describe what the most frequent cause of death from one suffering from such disease is.

ANSWER:

40. No.

INTERROGATORY NO. 41:

Please state the net profit made by your company for each of the years since and including the year 1960.

ANSWER:

41. This information is attached as a part of the interrogatories from our 1967 and 1968 Annual Reports.

INTERROGATORY NO. 42:

Please give the net worth of your company as of the end of your annual accounting period for each of the years since 1960.

ANSWER:

42. This information is attached as a part of the interrogatories from our 1967 and 1968 Annual Reports.

INTERROGATORY NO. 43:

Please give the total volume of sales of products manufactured by your company and include, if possible, the total amount of sales of products of your company containing asbestos for each of the years since 1960.

ANSWER:

43. This information is attached as a part of the interrogatories from our 1967 and 1968 Annual Reports.

INTERROGATORY NO. 44:

Please give the name and address of the president of

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your company; and also the name and address of the Chairman of the Board of Directors.

ANSWER:

44. This information is attached as part of the interrogatories from our 1968 Annual Report.

INTERROGATORY NO. 45:

If your company has been unable to answer any of the foregoing interrogatories herein propounded, or any of the interrogatories hereinafter propounded, please state the name and address of the person in your company having knowledge of the matters inquired about in these interrogatories.

ANSWER:

45. Not Applicable.

INTERROGATORY NO. 46:

Does your company recognize that Dr. Irving J. Selikoff, of New York, is an outstanding authority in the field of asbestosis, particularly among insulation workers?

ANSWER:

46. We have no basis upon which to form an opinion regarding this question.

INTERROGATORY NO. 47:

Do you agree that the State of Iowa had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1913?

INTERROGATORY NO. 48:

Do you agree that the State of Illinois had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1913?

INTERROGATORY NO. 49:

Do you agree that the State of Hawaii had a Workmen's Compensation Law covering the occupational disease of asbes-

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tosis beginning in the year 1915?

INTERROGATORY NO. 50:

Do you agree that the State of California had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1917?

INTERROGATORY NO. 51:

Do you agree that the State of Wisconsin had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1919?

INTERROGATORY NO. 52:

Do you agree that the State of Connecticut had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1919?

INTERROGATORY NO. 53:

Do you agree that the State of New York had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1935?

INTERROGATORY NO. 54:

Do you agree that the State of Pennsylvania had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1937?

INTERROGATORY NO. 55:

Do you agree that the State of Indiana had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1937?

INTERROGATORY NO. 56:

Do you agree that the State of Ohio had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1939?

INTERROGATORY NO. 57:

Do you agree that the State of Washington had a Workmen's

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Compensation Law covering the occupational disease of asbestosis beginning in the year 1939?

INTERROGATORY NO. 58:

Do you agree that the State of Maryland had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1939?

INTERROGATORY NO. 59:

Do you agree that the State of Delaware had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1941?

INTERROGATORY NO. 60:

Do you agree that the State of Oregon had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1943?

INTERROGATORY NO. 61:

Do you agree that the State of Nebraska had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1943?

INTERROGATORY NO. 62:

Do you agree that the State of Minnesota had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1943?

INTERROGATORY NO. 63:

Do you agree that the State of Michigan had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1943?

INTERROGATORY NO. 64:

Do you agree that the State of Arizona had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1943?

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INTERROGATORY NO. 65:

Do you agree that the State of Virginia had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1944?

INTERROGATORY NO. 66:

Do you agree that the State of New Mexico had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1945?

INTERROGATORY NO. 67:

Do you agree that the State of Florida had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1945?

INTERROGATORY NO. 68:

Do you agree that the State of New Jersey had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1945?

INTERROGATORY NO. 69:

Do you agree that the State of Colorado had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1945?

INTERROGATORY NO. 70:

Do you agree that the State of Alaska had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1946?

INTERROGATORY NO. 71:

Do you agree that the State of Georgia had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1946?

INTERROGATORY NO. 72:

Do you agree that the State of Tennessee had a Workmen's Compensation Law covering the occupational disease of asbes-

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tosis beginning in the year 1947?

INTERROGATORY NO. 73:

Do you agree that the State of New Hampshire had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1947?

INTERROGATORY NO. 74:

Do you agree that the State of Nevada had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1947?

INTERROGATORY NO. 75:

Do you agree that the State of Arkansas had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1948?

INTERROGATORY NO. 76:

Do you agree that the State of West Virginia had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1949?

INTERROGATORY NO. 77:

Do you agree that the State of South Carolina had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1949?

INTERROGATORY NO. 78:

Do you agree that the State of Vermont had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1951?

INTERROGATORY NO. 79:

Do you agree that the State of Guam had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1952?

INTERROGATORY NO. 80:

Do you agree that the State of Oklahoma had a Workmen's

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Compensation Law covering the occupational disease of asbestosis beginning in the year 1953?

INTERROGATORY NO. 81:

Do you agree that the State of Missouri had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1959?

INTERROGATORY NO. 82:

Do you agree that the State of Puerto Rico had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1960?

INTERROGATORY NO. 83:

Do you agree that the State of Montana had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1965?

INTERROGATORY NO. 84:

Do you agree that the State of Maine had a Workmen's Compensation Law covering the occupational disease of asbestosis beginning in the year 1967?

ANSWER TO INTERROGATORIES NOS. 47-84:

This question is objected to as calling for conclusions and opinions on questions of law.

DATED this 17 day of December, 1969.

WELLER, WHEELUS & GREEN
P. O. BOX 350
BEAUMONT, TEXAS 77704

By Geo. A. Weller
GEO. A. WELLER,
ATTORNEYS FOR DEFENDANT
FIBREBOARD CORPORATION

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VERIFICATION

STATE OF CALIFORNIA)
) ss.
CITY AND COUNTY OF SAN FRANCISCO)

J. S. MITCHELL, being duly sworn, deposes and says:

That he is an officer, to wit: Corporate Secretary of FIBREBOARD CORPORATION, a corporation, a defendant named in the foregoing Answers to Interrogatories, that he is authorized to make this verification on behalf of said corporation; that he has read said Answers to Interrogatories and knows the contents thereof, that he is informed and believes the matters therein stated to be true and on that ground alleges that the matters therein stated are true.

J. S. Mitchell

Subscribed and sworn to before me this 15th day of December, 1969.

Teresa M. Lejardi
NOTARY PUBLIC
in and for the City and County of San Francisco, State of California.

TERESA M. LEJARDI
NOTARY PUBLIC CALIFORNIA
SAN FRANCISCO COUNTY
My Commission Expires July 6, 1970

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing answers of the defendant, Fibreboard Corporation, to Interrogatories Propounded by Plaintiff, was served on Mr. Ward Stephenson, Stephenson Building, Orange, Texas, attorney for plaintiff, by mailing a copy to his address by certified mail on the 19th day of December, 1969.

A copy was served on the following attorneys of record by regular mail on the 19th day of December, 1969:

Mr. George E. Duncan
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Beaumont, Texas 77704
Attorney for Pittsburgh Corning Corporation

Mr. Dale Dowell
707 Beaumont Savings Building
Beaumont, Texas 77701
Attorney for Owens-Corning Fiberglas Corporation

Mr. Gordon R. Pate
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Geo. A. Vellon

OF COUNSEL

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CIVIL ACTION NO. 6329

SAMUEL R. POTTER

VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL

ANSWERS OF THE DEFENDANT, FIBREBOARD CORPORATION, TO INTERROGATORIES PROPOUNDED BY PLAINTIFF.

(DUPLICATE)

WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
BEAUMONT, TEXAS 77704