IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
DEC 23 1969
James R. Cooney, Clerk, U. S. Court
By Margaret Dimes DEPUTY

SAMUEL R. POTTER

VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL.

CIVIL ACTION NO. 6329.

OBJECTIONS AND REQUEST FOR LIMITATION OF PLAINTIFF'S MOTION FOR DISCOVERY

COMES NOW "Ruberoid Company", one of the named Defendants in the above styled and numbered cause, and makes the following OBJECTIONS AND REQUEST FOR LIMITATION IN REPLY TO PLAINTIFF'S MOTION FOR DISCOVERY:

I.

The Defendant objects to paragraph number 2 of said Discovery Motion upon the following bases:

1. Said Request is unfair, in that it would allow the Plaintiff and/or any witness called in his behalf to identify this Defendant's product based on such labeling rather than upon his independent knowledge in regard thereto, and to allow or require such labeling would be grossly unfair to this Defendant.

2. If any labeling or marking is required by the Court, then this Defendant says that such should be done by code and the key furnished to the Court but not made available to the Plaintiff and/or any of his witnesses.

II.

This Defendant objects to paragraph number 3 of Plaintiff's Motion because the same is too burdensome and too broad. This Defendant requests the Court to limit discovery in this regard to copies of currently available sales data.

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III.

This Defendant objects to paragraph number 4 because the same inquires about confidential matters and trade secrets, all of which are protected and privileged matters. This Defendant further objects to said paragraph because it is too broad, vague and indefinite.

IV.

Subject to the Court's action in regard to the above and foregoing objections, this Defendant says that it is ready and willing to comply with the order which the Court feels proper in connection with Plaintiff's Motion.

Robert E. Barnes.

Robert E. Barnes.

Sworn to and subscribed before me the undersigned authority on this the 23rd day of December, 1969.

Beatrice L. Engel
Notary Public in and for
Jefferson County, Texas.

Respectfully submitted,

BARNES & BARNES

BY Robert E. Barnes

2315 Calder - P.O. Box 5098,
Beaumont, Texas,
Telephone 833-8601,
Attorneys for Ruberoid Company.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon Mr. Ward Stephenson, Stephenson Building, Orange, Texas, attorney for Plaintiff, by mailing a copy to his address by certified mail on the 23rd day of December, 1969, and a copy was served on each and all other counsel of record by depositing the same in the United States mail properly addressed, with postage paid, on the 23rd day of December, 1969.

Robert E. Barnes.

Robert E. Barnes.

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Civil Action No. 6329

In the United States District Court
for the Eastern District of Texas
Beaumont Division

Samuel R. Potter

vs.

Fibreboard Paper Products
Corporation, et al.

OBJECTIONS AND REQUEST FOR LIMITATIONS OF PLAINTIFF'S MOTION FOR DISCOVERY

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