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

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
FEB 20 1970
JAMES R. COONEY, CLERK
BY DEPUTY Myra Barton

S. R. POTTER	X	
	X	
VS.	X	CIVIL ACTION
	X	NO. 6329
FIBREBOARD PAPER	X	
PRODUCTS CORPORATION,	X	
ET AL	X	

ADDITIONAL ANSWERS OF THE DEFENDANT, OWENS-CORNING FIBERGLAS CORPORATION TO INTERROGATORIES PROPOUNDED BY THE PLAINTIFF

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

Defendant, Owens-Corning Fiberglas Corporation, pursuant to order of the Court, entered February 10, 1970, overruling its objections to certain interrogatories propounded under Rule 33, Federal Rules of Civil Procedure, served upon defendant's counsel on or about October 14, 1969, files this its answers to such interrogatories within the time required. Such answers to each interrogatory bear the same number and letter as the request:

INTERROGATORY NO. 4: See answer to No. 3.

INTERROGATORY NO. 7: Owens-Corning Fiberglas does not recognize that the result expressed in this question would occur and specifically denies that such could occur. Scientific investigation as reported (see answer to No. 3) indicates that such a cause or contribution does not occur from the use of glass fiber materials.

INTERROGATORY NO. 8: Owens-Corning Fiberglas has conducted no such studies.

INTERROGATORY NO. 9: Owens-Corning Fiberglas, nor any of its employees, has conducted no such studies.

INTERROGATORY NO. 11: Owens-Corning Fiberglas is not familiar with Dr. Murray's report.

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INTERROGATORY NO. 12: Owens-Corning Fiberglas is not familiar with Dr. Cook's work.

INTERROGATORY NO. 13: No. Owens-Corning Fiberglas does not produce or use asbestos textiles, nor does it produce asbestos. All of the asbestos purchased by Owens-Corning Fiberglas is introduced into a solid matrix before sale to the consumer, and, as a result, creates little air-borne "fly."

INTERROGATORY NO. 14: No.

INTERROGATORY NO. 16: No.

INTERROGATORY NO. 17: No.

INTERROGATORY NO. 19: Same as answer to No. 17.

INTERROGATORY NO. 20: Asbestos is a durable material, but nothing exists for an infinity of years.

INTERROGATORY NO. 21: No.

INTERROGATORY NO. 25: Owens-Corning Fiberglas is aware that such hearing was held.

INTERROGATORY NO. 26: No.

INTERROGATORY NO. 27: Owens-Corning Fiberglas is not familiar with Dr. Stewart's testimony.

INTERROGATORY NO. 28: No.

INTERROGATORY NO. 35: No. Use of Owens-Corning Fiberglas Products as insulation materials for a number of years has not disclosed any harm to human beings or the health of man.

INTERROGATORY NO. 36: Yes, Preston Dawson, employed by Owens-Corning Fiberglas at its Berlin, New Jersey, plant; other requested information is not known.

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INTERROGATORY NO. 37: Owens-Corning Fiberglas does not accept the truth of the question as stated. Other activities of Owens-Corning Fiberglas in this area are previously noted.

INTERROGATORY NO. 40: No.

INTERROGATORY NO. 41: The Owens-Corning Fiberglas' Annual Report for 1968 shows net income for 1968 to be $19,420,765.00, for 1967, $14,813,182.00, and for 1966, $18,844,000.00.

Income figures for prior years are a matter of public record and are readily obtainable.

INTERROGATORY NO. 42: The Owens-Corning Fiberglas' net worth as shown in the 1968 Annual Report is $223,042,913.00, for 1967, $210,874,538.00, and for 1966, $179,899,184.00.

Similar figures for prior years are a matter of public record.

INTERROGATORY NO. 43: The Owens-Corning Fiberglas' net sales for 1968 were $429,497,521.00, for 1967 they were $376,484,091.00, and for 1966 they were $373,673,079.00.

Sales of asbestos-containing products are not separately stated.

INTERROGATORY NO. 44: Mr. John H. Thomas, President, River Road, Perrysburg, Ohio.

General Lauris Norstad, Chairman of the Board, 1920 Collingwood Avenue, Toledo, Ohio.

INTERROGATORY NO. 45: No answer required.

INTERROGATORY NO. 46: Owens-Corning Fiberglas is without sufficient knowledge as to whether Dr. Selikoff is an outstanding authority, although it does know that he performed research in this field since 1964.

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INTERROGATORIES NOS. 47 THROUGH 84: Owens-Corning Fiberglas agrees that the states named had workmen's compensation laws covering occupational diseases, beginning in the years mentioned, but disagrees that all of these workmen's compensation laws specifically covered asbestosis by name.

DATED this 19th day of February, 1970.

KING, SHARFSTEIN & RIENSTRA

BY: Dale Dowell

707 Beaumont Savings Building
Attorneys for Owens-Corning
Fiberglas Corporation

THE STATE OF TEXAS X
X
COUNTY OF JEFFERSON X

BEFORE ME, the undersigned authority, on this day personally appeared Dale Dowell, attorney of record for the defendant in the above styled and numbered action, duly authorized to make this affidavit, and having been duly sworn upon his oath states that the answers and statements contained in the foregoing answers to interrogatories are true and correct.

Dale Dowell

SWORN TO AND SUBSCRIBED BEFORE ME by the said Dale Dowell this 19th day of February, A.D. 1970.

Louise Larcomb
Notary Public in and for Jefferson County, Texas.

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CERTIFICATE OF SERVICE

I, Dale Dowell, attorney of record for the defendant, Owens-Corning Fiberglas Corporation, in the above styled and numbered action, do hereby certify that a true and correct copy of the above and foregoing answers to interrogatories was on this the 19th day of February, 1970, served upon the plaintiff by depositing the same in the United States Mail, Postage Prepaid, addressed to Mr. Ward Stephenson, Stephenson Building, Orange, Texas, attorney of record for the plaintiff; and, also, true copies of said answers to interrogatories were on this 19th day of February, 1970, served upon all other defendants in this action by mailing copies of same to said attorneys at their respective addresses.

Dale Dowell

Attorney for Defendant, Owens-Corning Fiberglas Corporation

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S. R. POTTER

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FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL

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