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

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MAR 13 1970
JAMES R. COONEY, CLERK
BY DEPUTY

SAMUEL R. POTTER

VS.

FIBREBOARD PAPER PRODUCTS CORPORATION, ET AL.

CIVIL ACTION NO. 6329.

REPLY OF THE DEFENDANT
RUBEROID COMPANY TO
PLAINTIFF'S MOTION TO PRODUCE

COMES NOW the Ruberoid Company, one of the Defendants in the above styled and numbered cause, and makes and files the following REPLY TO PLAINTIFF'S MOTION FOR PRODUCTION, respectfully representing as follows:

I.

Representative samples of products manufactured by this Defendant as described in its answers to Interrogatories have been furnished to the Plaintiff by depositing the same in the United States mail, addressed to his attorney.

II.

Pertinent sales literature concerning asbestos products manufactured by this Defendant has been furnished to the Plaintiff by depositing the same in the United States mail, addressed to his attorney.

III.

Engineering, scientific, and research data not containing trade secrets are contained in the sales literature described in the preceding paragraph. The Defendant is conducting further inquiries and making further efforts to determine whether or not any other engineering, scientific, and research data is available in any department of the Defendant company which might suggest use, adaptability, methods of application, and safety controls without containing trade secrets. If any such data is discovered in the future which has not been discovered through the exercise of due diligence to date, the same will be furnished forthwith to Plaintiff.

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IV.

This Defendant does not maintain a separate medical department. At the home office of this Defendant in New York City, the service of a full-time nurse from an independent contracting firm is retained. Mr. P.S. Bettoli is the technical director of research and development for this Defendant. His address is in care of GAF Corporation, 119 Canal Road, South Bound Brook, New Jersey 08880.

V.

This Defendant understands that breathing apparatus designed to protect asbestos insulation workers need not be furnished.

VI.

This Defendant has not yet selected the witnesses expected to testify at the time of the trial. When such witnesses have been chosen, their names will be furnished to counsel for the Plaintiff.

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 the same to his address on the 13th day of March, 1970, 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 13th day of March, 1970.

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.

REPLY OF THE DEFENDANT
RUBEROID COMPANY TO
PLAINTIFF'S MOTION TO PRODUCE

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