IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

SEP 18 1970

JAMES R. COONEY, CLERK
BY DEPUTY

SAMUEL R. POTTER §

VS. §

FIBREBOARD PAPER PRODUCTS §

CORPORATION, ET AL §

CIVIL ACTION NO. 6329

DEFENDANT'S MOTION FOR EXTENSION OF TIME TO ANSWER INTERROGATORIES UNDER RULE 33, FEDERAL RULES OF CIVIL PROCEDURE.

Now comes the defendant, Combustion Engineering, Inc., in the above-entitled and numbered cause, and hereby moves and prays the Court that it be granted an enlargement and extension of time in which to answer the interrogatories heretofore served on this defendant on August 22, 1970, and as grounds therefor would show unto the Court the following:

1.

The time for answering said interrogatories allowed under the Rules has not expired, and additional time is required by the defendant inasmuch as its attorney does not have at hand the necessary information from the defendant upon which to base answers to said interrogatories, although such information has been requested, but it is not anticipated that same will be available in time to enable the defendant to answer such interrogatories within the time now allowed by the Rules; and an extension of time is thus required and necessary. Plaintiff's attorney does not oppose this motion; and said is not sought for delay only but that justice be done.

WHEREFORE, premises considered, defendant moves and prays the Court that such time be extended to and including October 5, 1970, and that it be granted until and including such time

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in which to answer said interrogatories.

Respectfully submitted,

ATTORNEY FOR DEFENDANT,
COMBUSTION ENGINEERING, INC;
1014 San Jacinto Bldg., P.O.Box 1632,
Beaumont,Texas.

CERTIFICATE OF SERVICE.

True and correct copy of the foregoing motion has been mailed to Mr. Ward Stephenson, Stephenson Building, Orange, Texas, plaintiff's attorney of record, in a correctly addressed, stamped and sealed envelope deposited in the United States Mail at Beaumont, Texas, this 18th day of September, 1970.

Attorney for Defendant.

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