FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
JAN 23 1970
JAMES R. COONEY, CLERK
BY DEPUTY Joyce Barton

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

SAMUEL R. POTTER :

VS. : CIVIL ACTION NO. 6329

FIBREBOARD PAPER PRODUCTS :
CORPORATION ET AL :

SECOND SET OF INTERROGATORIES PROPOUNDED TO DEFENDANTS

TO: PITTSBURGH CORNING CORPORATION
ARMSTRONG CONTRACTING AND SUPPLY CORPORATION
PHILIP CAREY CORPORATION
RUBEROID COMPANY, A DIVISION OF GAF CORPORATION
COMBUSTION ENGINEERING, INC.
OWENS-CORNING FIBERGLAS CORPORATION
FIBREBOARD PAPER PRODUCTS CORPORATION
UNARCO INDUSTRIES, INC.
STANDARD ASBESTOS MANUFACTURING AND INSULATING COMPANY
EAGLE-PICHER INDUSTRIES, INC.
JOHNS-MANVILLE PRODUCTS CORPORATION,

Defendants:

SAMUEL R. POTTER, plaintiff, hereby serves upon the above named defendants the following written interrogatories to be answered fully and fairly in writing under oath, which shall be signed by the person or persons making such answers, a copy of such answers to be served upon plaintiff's attorney within fifteen (15) days after service herein, in accordance with Rule 33 of the Federal Rules of Civil Procedure:

1.

In connection with Interrogatory #3 of the first set of interrogatories propounded to you, you have indicated that your company is familiar with the studies made by various other agencies, including the United States Government. Please state the names of the persons or agencies making such studies, the date and identification of such studies or reports, with sufficient detail to enable the plaintiff to obtain copies of any such studies to which you refer. Also, state what action, if any, your company took in response thereto.

2.

In connection with Interrogatory #8 of the first set of interrogatories propounded to you, you have indicated that

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your company is familiar with studies made by various other agencies, including the United States Government. Please state the names of the persons or agencies making such studies, the date and identification of such studies or reports, with sufficient detail to enable the plaintiff to obtain copies of any such studies to which you refer. Also, what action, if any, did your company take based upon these studies to prevent anyone using your products from contracting the disease of asbestosis?

3.

In answer to Interrogatory #10 of the first set of interrogatories propounded to you, you have indicated that dust counts have been made by independent organizations, as well as by various contractors, and by various governmental agencies. Please state the names of the persons or agencies making such studies, the date and identification of such studies or reports, with sufficient detail to enable the plaintiff to obtain copies of any such reports to which you refer. Also, what action, if any, did your company take based upon these studies?

4.

In connection with Interrogatory #18 of the first set of interrogatories propounded to you, you have indicated that your company started placing warnings on containers containing asbestos materials. Please state what knowledge or information caused you to start using the warning on the date that you started using such warning, and why did you not use such warnings long prior thereto?

5.

Does your company recognize that asbestos causes asbestosis? 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.

STEPHENSON AND THOMPSON

By Ward Stephenson
Attorneys for Plaintiff
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The Potter v. Fibreboard Case File (1969-1972), Second set of interrogatories to defendants
ACL Doc 10526 · Page 2 of 3
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CERTIFICATE OF SERVICE BY MAIL

I, Ward Stephenson, hereby certify that a true and correct copy of the foregoing instrument was, on this the 21st day of January, 1970, mailed by certified mail, return receipt requested, to the following named attorneys:

Mr. George E. Duncan
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Attorney for Intervenor
NATIONAL SURETY CORPORATION

ORIGINAL SIGNED BY
WARD STEPHENSON

Ward Stephenson

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