Citation—District Court — Port Printers

THE STATE OF TEXAS

To: TEXAS EMPLOYERS INSURANCE ASSOCIATION
Upon whom service may be obtained by serving anyone subject to service at 2693 North Street, Beaumont, Texas.

Greeting:

You are commanded to appear by filing a written answer to the Plaintiff's petition at or before 10 o'clock A. M. of the Monday next after the expiration of 20 days from the service hereof, before the Honorable District Court of Orange County for the 128th Judicial District of Texas, at the Court House in Orange, Texas.

Said plaintiff's petition was filed on the 21st day of December, 19 62

The file number of said suit being No. 13,916.

The style of the case is

CLAUDE J. TOMPLAIT, is - - - - - - - - - - - - - - - - Plaintiff,

versus

THE TRAVELERS INSURANCE COMPANY, ET AL, is - - - - Defendant.

A copy of plaintiff's petition accompanies this citation.

If this Citation is not served within 90 days after the date of its issuance, it shall be returned unserved.

Issued this the 21st day of December, A. D., 19 62.

Given under my hand and seal of said Court, at office in Orange, Texas, this the 21st day of December, A. D., 19 62.

EXECUTE WHEN COPY IS DELIVERED:

This, a true copy of the original Citation, was delivered to Defendant:

_____

on the _____ day of _____ 19____

_____ Sheriff-Constable

_____ County, Texas

By _____ Deputy.

ETHEL BURTON, Clerk
District Court, Orange County, Texas

By Joy Ham Deputy

SHERIFF'S RETURN

Came to hand on the 22 day of December, 1962, at 7:20 o'clock A M., and executed in JEFFERSON County, Texas, by delivering to each of the within named defendants, in person, a true copy of this Citation together with the accompanying copy of the plaintiff's petition, at the following times and places, to-wit:

NAME	DATE Month	Day	Year	TIME Hour	Min.	M.	Place, and Course and Distance From Court House	Mileage
John Southwest Insurance Agency Inc.								
BY DELIVERING TO								
D.W. Gaines Claim Manager	12	26	1962	9	35	A		

And not executed as to defendant...,

the diligence used in finding said defendant..., being:

and the cause of failure to execute this process is:

and the information received as to the whereabouts of the said defendant..., being:

I actually and necessarily traveled ____ miles in the service of this Citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

FEES—Serving ____ cop ____, $ 1.25

Mileage ____ miles, 1.08

Total, ... $ 2.25

Pd by SS+T

R. E. CULBERTSON, Acting Sheriff

JEFFERSON County, Texas

By ____ Deputy

Sheriff Constable

RECEIVED DEC 22 1962

File No. 13,916

DISTRICT COURT

Orange County, Texas

128th Judicial District of Texas

CITATION

CLAUDE J. TOMPLAIT vs. THE TRAVELERS INSURANCE CO. ET AL

Issued December 21, 1962

Ethel Burton, Clerk

By ____ Deputy

Filed 31 Day of Dec, 1962

Ethel Burton, Clerk

By ____ Deputy

Port Printers

I

II

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Citation—District Court — Fort Printers

THE STATE OF TEXAS

To: THE TRAVELERS INSURANCE COMPANY
Upon whom service may be obtained by serving anyone subject to service at Adams Building, Port Arthur, Texas.

Greeting:

You are commanded to appear by filing a written answer to the Plaintiff's petition at or before 10 o'clock A. M. of the Monday next after the expiration of 20 days from the date hereof before the Honorable District Court of Orange County for the 128th Judicial District of Texas, at the Court House in Orange, Texas.

Said plaintiff's petition was filed on the 21 day of December, 19 62.

The file number of said suit being No. 13,916.

The style of the case is

CLAUDE J. TOMPLAIT is - - - - - - - - - - - - - - - - - Plaintiff,

versus

THE TRAVELERS INSURANCE COMPANY, ET AL is - - - - - - Defendant.

A copy of plaintiff's petition accompanies this citation.

If this Citation is not served within 90 days after the date of its issuance, it shall be returned unserved.

Issued this the 21st day of December, A. D., 19 62.

Given under my hand and seal of said Court, at office in Orange, Texas, this the 21st day of December, A. D., 19 62.

EXECUTE WHEN COPY IS DELIVERED:

This, a true copy of the original Citation, was delivered to Defendant:

Mrs. J. C. Lalonde

on the 26 day of December 1962

R. E. Culbertson
Sheriff-Constable

County, Texas

By _____ Deputy.

ETHEL BURTON, Clerk
District Court, Orange County, Texas

By _____ Deputy

SHERIFF'S RETURN

Came to hand on the 26 day of December, 1962, at 8:3[illegible] o'clock A M., and executed in JEFFERSON County, Texas, by delivering to each of the within named defendants, in person, a true copy of this Citation together with the accompanying copy of the plaintiff's petition, at the following times and places, to-wit:

NAME	DATE Month	Day	Year	TIME Hour	Min.	M.	Place, and Course and Distance From Court House	Mileage
Travelers Ins. Co. and/								
by serving								
Mrs. J. C. Blanks	12	26	62	9:	00	A.	Ft. Worth,	

And not executed as to defendant[illegible],

the diligence used in finding said defendant[illegible], being:

and the cause of failure to execute this process is:

and the information received as to the whereabouts of the said defendant[illegible], being:

I actually and necessarily traveled [illegible] miles in the service of this Citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

FEES—Serving 1 cop 1.25 $ 1.25

Mileage 42 x 10 miles, 4.20

Total, ... $ 5.45

Pd. by SSH

R. E. CULBERTSON, Acting Sheriff / Constable

JEFFERSON County, Texas

By [signature] Deputy

File No. 13,916

DISTRICT COURT

Orange County, Texas

128th Judicial District of Texas

CITATION

RECEIVED DEC 22 1962

CLAUDE J. TOMPLAIT

vs.

THE TRAVELERS INSURANCE CO., et al

Issued December 21, 1962

Ethel Burton, Clerk

By [signature] Deputy

Filed 31 Day of Dec. 1962

Ethel Burton, Clerk

By [signature] Deputy

Port Printers

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NO. 13,916

CLAUDE J. TOMPLAIT	)	IN THE DISTRICT COURT OF
VS.	)	ORANGE COUNTY, TEXAS
THE TRAVELERS INSURANCE COMPANY, ET. AL.	)	128TH JUDICIAL DISTRICT

ORIGINAL ANSWER OF DEFENDANT,
TEXAS EMPLOYERS' INSURANCE ASSOCIATION

COMES NOW Texas Employers' Insurance Association, named as a defendant in the above entitled and numbered cause, and files this, its original answer herein, and for answer to plaintiff's original petition herein, says:

I.

This defendant denies all and singular the allegations contained in said petition and demands strict proof thereof.

II.

This defendant specially denies that at the time of plaintiff's alleged injury made the basis of this suit, or prior to or thereafter, it was the Workmen's Compensation insurance carrier for Armstrong Contracting and Supply Corporation, alleged to be plaintiff's employer at the time of such injury; further, this defendant specially denies that at such time or at any time material hereto it had issued to said Armstrong Contracting and Supply Corporation any policy of workmen's compensation insurance covering the plaintiff, Claude J. Tomplait; and in accordance with the provision of Rule 93 (n) (6), Texas Rules of Civil Procedure, this defendant denies that it was in fact the carrier for said Armstrong Contracting and Supply Corporation at such time.

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WHEREFORE, this defendant prays that upon final hearing hereof, plaintiff recover nothing from it herein, and that it be permitted to go hence without day.

MARCUS & WELLER
P. O. BOX 350
BEAUMONT, TEXAS

BY David C. Marcus
ATTORNEYS FOR DEFENDANT,
TEXAS EMPLOYERS' INSURANCE ASSOCIATION

THE STATE OF TEXAS §
COUNTY OF JEFFERSON §

David C. Marcus, being duly sworn, on oath states that he is a duly authorized attorney for Texas Employers' Insurance Association, a defendant in the above entitled and numbered cause; that he is cognizant of the matters set out in the foregoing answer; and that the statements and allegations in Paragraph II of the foregoing answer are true and correct.

David C. Marcus
DAVID C. MARCUS

SUBSCRIBED AND SWORN TO by the said David C. Marcus, before me, the undersigned authority, on this, the 11th day of January, 1963.

Ouida L. Swope
NOTARY PUBLIC, JEFFERSON COUNTY, TEXAS

OUIDA L. SWOPE, Notary Public
In and for Jefferson County, Texas

The Tomplait v. Combustion Engineering Case File (1962-1969), Citations and answer
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