NO. 13,916

IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

CLAUDE J. TOMPLAIT

VS.

THE TRAVELERS INSURANCE COMPANY

DEFENDANT'S ANSWER TO PLAINTIFF'S REQUEST FOR ADMISSIONS OF FACT

FILED

1 Day of Feb 1963

at 9:29 A M.

ETHEL BURTON

Clerk, District Court, Orange County, Texas

By Jerry Dean Deputy

STRONG, PIPKIN, STRONG & NELSON

ATTORNEYS AT LAW

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BEAUMONT, TEXAS

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VS.	)	
THE TRAVELERS INSURANCE COMPANY	)	ORANGE COUNTY, TEXAS

DEFENDANT'S ANSWER TO PLAINTIFF'S REQUEST FOR ADMISSIONS OF FACT

The defendant, The Travelers Insurance Company, in the above entitled and numbered cause, makes the following statement in response to the Request for Admissions of Fact served upon it by plaintiff:

1.

Defendant objects to Request No. 2 for the reason that same is ambiguous, in that it inquires about certain physical conditions without setting forth what physical conditions the plaintiff is inquiring about; however, defendant denies that any physical condition became apparent while in the employ of Armstrong Contracting and Supply Corporation.

2.

In response to Request No. 5, defendant, The Travelers Insurance Company, denies that the plaintiff sustained a personal injury or occupational disease and denies that it had notice within thirty (30) days that the plaintiff was claiming to have sustained either.

3.

In response to Request No. 6, defendant denies that the plaintiff sustained a personal injury or occupational disease and further denies that it was notified within thirty (30) days that the plaintiff was claiming to have sustained a personal injury or occupational disease as set forth in Request No. 6.

4.

In response to Request No. 7, defendant denies that the plaintiff sustained any personal injury or occupational disease and denies that it had actual notice that plaintiff was claiming to have sustained any personal injury or occupational

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disease.

5.

In response to Request No. 8, defendant denies that it was advised within thirty (30) days that the plaintiff was claiming to have sustained a personal injury ad occupational disease within the course of his employment and denies that he did sustain a personal injury or occupational disease.

6.

In response to Request No. 10, defendant denies that the plaintiff sustained any personal injury or occupational disease.

7.

In response to Request No. 11, defendant denies that the plaintiff sustained any personal injury or occupational disease.

8.

In response to Request No. 12, defendant denies that the plaintiff sustained any personal injury or occupational disease and denies that he worked for the Armstrong Contracting and Supply Corporation 210 days as set forth in said request.

9.

In response to Request No. 13, defendant objects for the reason that same refers to Request No. 1 and the date set forth therein, and in this connection defendant would show the Court that there is no specific date set forth in Request No. 1, and for that reason this defendant cannot either admit or deny said request. However, if an answer be required, defendant denies the truth of the matters set forth therein, and denies that the plaintiff sustained any personal injury or occupational disease.

10.

In response to Request No. 14, defendant objects for the reasons set forth in reply to No. 13; however, if an answer be required, defendant denies the truth of the matters set forth therein.

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11.

In response to Request No. 15, defendant denies that plaintiff sustained any injuries and further objects for the reasons set forth in Request No. 13.

12.

In response to Request No. 16, defendant denies the truth of the matters set forth therein.

13.

In response to Request No. 18, defendant denies the truth of the matters set forth therein.

14.

In response to Request No. 19, defendant denies the truth of the matters set forth therein.

15.

In response to Request No. 20, defendant denies the truth of the matters set forth therein.

16.

In response to Request No. 21, defendant denies the truth of the matters set forth therein.

17.

In response to Request No. 22, defendant denies the truth of the matters set forth therein.

18.

In response to Request No. 23, defendant, The Travelers Insurance Company, admits that it has failed and refused to pay the plaintiff any compensation, and denies that it owes plaintiff any compensation, and denies that the plaintiff sustained any personal injury or occupational disease as alleged while in the employ of Armstrong Contracting and Supply Corporation, and for said reasons, the defendant is not liable and does not and has not owed the plaintiff any workmen's compensation.

19.

In response to Request No. 24, defendant denies that it has paid the plaintiff any compensation and further denies that the plaintiff sustained any personal injury or occupational disease as set forth in said request or that he has sustained

any total disability.

20.

In response to Request No. 25, defendant denies that the plaintiff has sustained any total disability, and further denies that the proper compensation rate, if he had sustained any, would be $35 per week.

21.

In response to Request No. 26, defendant denies the truth of the matters set forth therein.

22.

In response to Request No. 27, defendant denies the truth of the matters set forth therein.

23.

In response to Request No. 28, defendant denies the truth of the matters set forth therein.

24.

In response to Request No. 29, defendant objects for the reason that said request is ambiguous, in that it refers to the above stated date, and there is no above stated date to which to refer; however, defendant denies that plaintiff sustained any personal injury or occupational disease.

CHARLES S. PIPKIN

Gordon R. Pate

Attorneys for Defendant.
The Travelers Insurance Company
319 McFaddin Bldg., P.O. Box 1632
Beaumont, Texas

THE STATE OF TEXAS }
COUNTY OF JEFFERSON }

BEFORE ME, the undersigned authority, on this day personally appeared Gordon R. Pate, who being by me duly sworn, deposes and says:

That he is one of the attorneys for the defendant in the above entitled and numbered cause, and that as such he is authorized to make this affidavit for and on behalf of said defendant; that he has read the plaintiff's Request for Admissions of Fact and he has read the above statement in response thereto,

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and that the above statements made in response to the Requests are true and correct.

Gordon Pate

SUBSCRIBED AND SWORN TO BEFORE ME on this the 31 day of January, 1963.

Elaine Ritter
Notary Public in and for
Jefferson County, Texas.

A copy of the foregoing Defendant's Answer to Plaintiff's Request for Admissions of Fact was served upon Mr. Ward Stephenson, Stephenson Bldg., Orange, Texas, Attorney for Plaintiff, by ~~mailing~~ delivering a copy to him on the 1st day of February, 1963.

William G. Fox

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