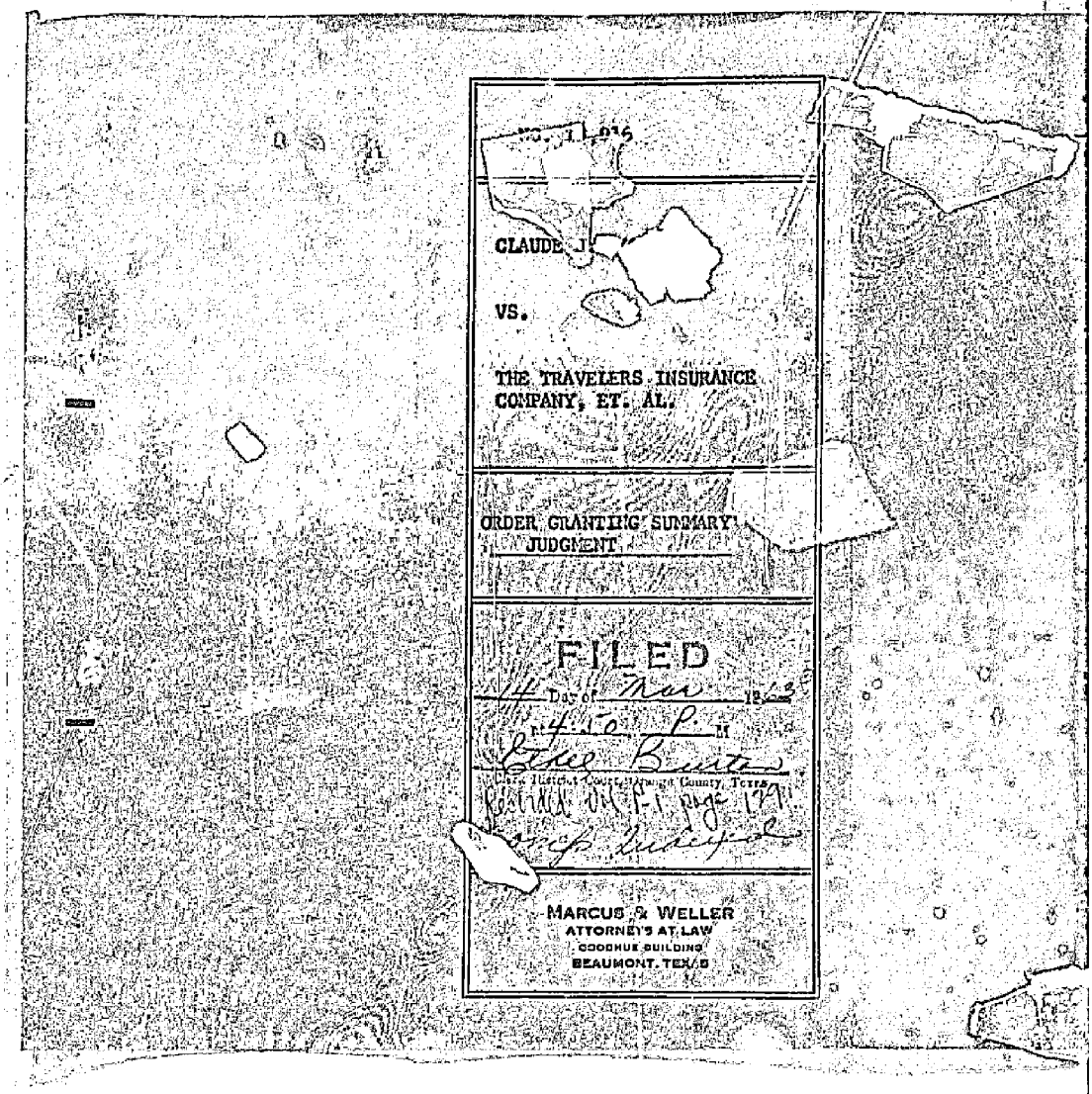

CLAUDE J
VS.
THE TRAVELERS INSURANCE COMPANY, ET. AL.
ORDER GRANTING SUMMARY JUDGMENT
FILED
MARCUS & WELLER
ATTORNEYS AT LAW
GOODHUE BUILDING
BEAUMONT, TEXAS

NO. 13,916

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

BE IT REMEMBERED that on the 1st day of March, 1963 after due and proper notice, came on to be heard the various Motions for Summary Judgment filed by the defendants in the above entitled and numbered cause, to-wit, The Travelers Insurance Company, Queen Insurance Company of America and Texas Employers' Insurance Association; and the pleadings, exhibits, arguments, stipulations and agreements of counsel having been heard and considered by the Court, the Court is of the opinion that the Motions for Summary Judgment filed herein by Queen Insurance Company of America and Texas Employers' Insurance Association should be granted and that an interlocutory judgment should be rendered in favor of each of said defendants, as hereinafter provided.

It is ORDERED, ADJUDGED AND DECREED that there is no severance of the cause of action herein asserted by the plaintiff, Claude J. Tomplait, against the defendants, Queen Insurance Company of America or Texas Employers' Insurance Association, or either of them, and that a final judgment in favor of said defendants and each of them will be rendered only upon final disposition of this cause, so that an appeal can be taken from such final judgment by the plaintiff, Claude J. Tomplait, it being expressly provided herein that this order is interlocutory in nature and is not a final or appealable order.

It is therefore ORDERED, ADJUDGED AND DECREED by the court that the motions of the defendants, Texas Employers' Insurance Association, and Queen Insurance Company of America are, each and both, hereby granted, and that the plaintiff, Claude J. Tomplait, do have and recover nothing herein from the defendants, Texas Employers' Insurance Association and Queen Insurance Company of America, or either of them.

It is further ORDERED, ADJUDGED AND DECREED by the court that the motion for summary judgment of defendant, The Travelers Insurance Company, be and the same is hereby in all things [illegible]d [illegible] overruled.

To which ruling and judgment of the court in granting said motions for summary judgment the plaintiff, Claude J. Tomplait, then and there duly excepted, and The Travelers Insurance Company duly excepted to the ruling of the Court denying its motion for summary judgment.

RENDERED on this, the 14th day of March, 1963.

James V. Neff
DISTRICT JUDGE PRESIDING

APPROVED:

STEPHENSON, STEPHENSON & THOMPSON

BY _____
ATTORNEYS FOR PLAINTIFF

ORGAIN, BELL & TUCKER

BY _____
ATTORNEYS FOR DEFENDANT QUEEN INSURANCE COMPANY OF AMERICA

MARCUS & WELLER

BY _____
ATTORNEYS FOR DEFENDANT TEXAS EMPLOYERS' INSURANCE ASSOCIATION

STRONG, PIPKIN, STRONG & NELSON

BY _____
ATTORNEYS FOR DEFENDANT THE TRAVELERS INSURANCE COMPANY

The Tomplait v. Combustion Engineering Case File (1962-1969), Order granting Travelers' motion for summary judg... Published by AsbestosClaims.Law
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