NO. 13,916

CLAUDE J. TOMPLAIT

VS.

THE TRAVELERS INSURANCE COMPANY, ET AL

APPLICATION FOR COMMISSION TO TAKE WRITTEN DEPOSITION - INTERROGATORIES ATTACHED

FILED

24th Day of Sept. 1969

at 11:30 A M.

[illegible] DUPTON

District Court, Orange County, Texas

By Edna Simmons Deputy

ORGAIN, BELL & TUCKER

ATTORNEYS AT LAW

BEAUMONT, TEXAS

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Honorable Ethel Burton
District Clerk
Orange County, Texas
Orange County Courthouse
Orange, Orange County, Texas

Re: No. 13,916 - Claude J. Tomplait vs,
The Travelers Insurance Company, et al

Dear Sir:

Notice is hereby given that Queen Insurance Company of America

Defendant in the above styled and numbered suit pending in the court of which you are Clerk desires to take the written deposition of the witness named below, at the time and place designated below, to be used in the above styled and numbered suit; and intends to apply for a commission therefor; and hereby requests that you issue commission therefor six days after the receipt of this notice and application by you.

Name of Witness, and Residence or Place where Witness may be found	Place of Taking Deposition	Time of Taking Deposition
Custodian of Hospital Records Orange Memorial Hospital Orange, Texas	Orange, Texas	Immediately upon receipt of commission therefor.

Subpoena duces tecum is desired, and it is therefore requested that the commission expressly authorize issuance thereof.

Copy of the written interrogatories to be propounded to the witness, ~~if any~~ is attached hereto.

Notice, as required by the Texas Rules of Civil Procedure, Rules 189 and 200, has been given by serving all adverse parties, or their attorneys of record, with a copy hereof on this the 23rd day of September, 1964.

The books, papers, documents and tangible things hereby designated to be produced by the witness are:

Name of Witness	To Produce:
Custodian of Hospital Records	All records regarding Claude J. Tomplait except nurses' notes and x-rays.

cc by certified mail:
Mr. Ward Stephenson
Stephenson Building
Orange, Texas

Yours very truly,
ORGAIN, BELL & TUCKER
First Federal Savings Building
Beaumont, Texas
By Cleve Bachman
Cleve Bachman

~~Return on reverse side~~

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DIRECT INTERROGATORIES TO BE PROPOUNDED TO THE WITNESS

CUSTODIAN OF HOSPITAL RECORDS, ORANGE MEMORIAL HOSPITAL

1. State your name, please.

2. State the name of your employer and the capacity in which you are employed.

3. State whether or not you are the official custodian of the records of Orange Memorial Hospital?

4. In your capacity as custodian of said records, do you have in your custody any records concerning Claude J. Tomplait?

5. State whether or not such records pertaining to the person named in question 4 were made and have been preserved and maintained in the usual and customary course of business of said hospital.

6. State whether or not said records have been made under your care and in your custody and further whether or not they have been in any way altered, changed or tampered with.

7. State whether or not the entries on such records were made and prepared by persons who actually performed the treatment, examination, operation, tests, or performed the services or made the observations reflected by said entries or otherwise had occasion to treat or examine the patient in question.

8. State whether or not the entries on such hospital records were made by persons with actual and personal knowledge of the act, event, observation or condition to which the entry pertains.

9. State whether or not the entries on such records were made at the time of, or very soon after the act, event, observation or condition to which the entry pertained.

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10. State the dates during which the named patient was or has been confined to such hospital or under treatment at such hospital.

11. Please produce in obedience to the subpoena duces tecum served upon you, the hospital records in your care and custody pertaining to the person named in question 4, and hand such records to the court reporter marking the same for identification, except the following:

nurses' notes

x-rays

12. Please state whether or not these are all of the records pertaining to the patient in the custody of said hospital, except those expressly excluded.

13. Mr. Court Reporter, please attach said records to the deposition and mark the same for identification. (Copies may be substituted for all but X-ray films).

14. Please state whether or not the copies substituted for your original records are true and exact copies, and state if they have been altered, changed or tampered with in any way.

ORGAIN, BELL & TUCKER
First Federal Savings Building
Beaumont, Texas

By _____
Attorneys for Defendant
Cleve Bachman

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