IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS,

BEAUMONT DIVISION.

FILED
M. FEB 21 1967 19
James R. Cooney, Clerk, U. S. Court
By Virginia N. Nelson DEPUTY

CLAUDE J. TOMPLAIT, PLAINTIFF, §

VS. §

CIVIL ACTION NO. 5402.

COMBUSTION ENGINEERING, §

INC., ET AL, DEFENDANTS. §

M O T I O N.

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Charles S. Pipkin of the firm of Strong, Pipkin, Strong & Nelson, and files this, his Motion for Leave to Withdraw as attorney for Johns-Manville Sales Corporation, Johns-Manville Products Corporation, Johns-Manville Fiber Glass, Inc., Pittsburgh Corning Corporation and Pittsburgh Plate and Glass Company, some of the defendants named in the above-entitled and numbered cause, and in connection therewith respectfully shows unto the Court as follows:

1.

Said attorney has now been informed by his principals, since the filing of a Motion for More Definite Statement herein in behalf of the above-named defendants and others, that it has been determined that there may exist a conflict of interest between said defendants, and to forestall the situation which may arise therefrom, it is deemed proper for said attorney not to represent all of the defendants in whose behalf he has filed said motion; and this movant will remain as attorney of record only for Combustion Engineering, Inc., and R & I Refractor and Insulation Corporation.

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WHEREFORE, premises considered, it is respectfully prayed that this motion be in all things granted, and that the said defendants above-named be given 20 days within which to procure other counsel.

Respectfully submitted,

CHARLES S. PIPKIN.

O R D E R.

BE IT REMEMBERED that on this 21st day of February, 1967, came on for consideration the motion of Charles S. Pipkin of the firm of Strong, Pipkin, Strong & Nelson, to withdraw as attorney for Johns-Manville Sales Corporation, Johns-Manville Products Corporation, Johns-Manville Fiber Glass, Inc., Pittsburgh Plate and Glass Company and Pittsburgh Corning Corporation; and the Court having considered said motion and being of the opinion that it should be granted:

IT IS ACCORDINGLY ORDERED that Charles S. Pipkin be, and he is hereby granted leave to withdraw as attorney for said defendants, Johns-Manville Sales Corporation, Johns-Manville Products Corporation, Johns-Manville Fiber Glass, Inc., Pittsburgh Plate and Glass Company and Pittsburgh Corning Corporation; and the said Johns-Manville Sales Corporation, Johns-Manville Products Corporation, Johns-Manville Fiber Glass, Inc., Pittsburgh Plate and Glass Company and Pittsburgh Corning Corporation, are hereby

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allowed twenty (20) days in which to obtain other counsel in this cause.

This 21st day of February, 1967.

UNITED STATES DISTRICT JUDGE.

CERTIFICATE OF SERVICE.

The above and foregoing motion and proposed order have been served on the plaintiff and defendants and their respective attorneys of record, by placing true and correct copies thereof in correctly addressed, stamped and sealed envelopes, addressed to said attorneys of record, to-wit, Messrs. Stephenson, Thompson & Morris, Stephenson Building, Orange, Texas, and to Messrs. Orgain, Bell & Tucker, Beaumont Savings & Loan Bldg., Beaumont, Texas, Messrs. King, Sharfstein & Rienstra, Beaumont Savings & Loan Bldg., Beaumont, Texas, and Messrs. Weller, Wheelus & Green, P.O.Box 350, Beaumont, Texas, and by depositing same in the United States Mail at Beaumont, Texas, this 21st day of February, 1967.

ATTORNEY FOR DEFENDANTS.

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