IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
JAN 5 1968
James R. Cooney, Clerk, U. S. Court
By Mildred C. Verret DEPUTY

CLAUDE J. TOMPLAIT		
VS.		CIVIL ACTION NO. 5402
COMBUSTION ENGINEERING, INC., ET AL		

MOTION FOR ORDER ON COMMON FILE OF EXHIBITS IN CONNECTION WITH MOTIONS FOR SUMMARY JUDGMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Fibreboard Paper Products Corporation, and the remaining defendants herein, and file this, their motion requesting that the Court order and direct that a common file be created for all exhibits and affidavits filed in connection with the various motions for summary judgment, and as grounds for said motion the defendants would show the Court:

1.

Each of the claims against the various defendants will involve the question of the application of the two (2) year statute of limitation to such claim of the plaintiff. The question will likewise arise as to whether the running of the two (2) year statute of limitation against the claim of the plaintiff was suspended by a claim or claims pending before the Industrial Accident Board of the State of Texas. Of necessity, the certified copies of the Board's file and other matters filed with the Industrial Accident Board will be applicable to each and every claim, and it would unduly encumber the record in this case to require each defendant to attach a certified copy of the Board's file or the portions thereof which are pertinent.

Accordingly, these defendants pray that the Court order and direct that the exhibits to the various motions for summary judgment be filed as a part of a common file and be considered in support of each and all of the motions for summary judgment on file herein.

Respectfully submitted;

WELLER, WHEELUS & GREEN
P. O. BOX 350
BEAUMONT, TEXAS 77704

BY _____
GEO. A. WELLER,
ATTORNEYS FOR FIBREBOARD PAPER PRODUCTS CORPORATION,
AND FOR THE OTHER ATTORNEYS OF RECORD FOR THE VARIOUS NAMED DEFENDANTS.

The Tomplait v. Combustion Engineering Case File (1962-1969), Motion for common exhibits to the motions for su… Published by AsbestosClaims.Law
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