IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED

JAN 17 1968

James R. Clancy, Clerk

By Mildred C. Varret DEPUTY

CLAUDE J. TOMPLAIT :

VS. : CIVIL NO. 5402

COMBUSTION ENGINEERING, INC., ET AL :

ANSWERS OF CLAUDE J. TOMPLAIT TO INTERROGATORIES PROPOUNDED BY OWENS-CORNING FIBERGLAS CORPORATION

NOW COMES CLAUDE J. TOMPLAIT, and in answer to the written interrogatories propounded by defendant Owens-Corning Fiberglas Corporation, says the following:

Interrogatory No. 1: (a) I know that I have worked around products called "Kaylo" which are manufactured by Owens-Corning Fiberglas Corporation. This "Kaylo" is like Kaytherm, 85% magnesia and Thermobestos, and contains asbestos.

(b) It would be impossible for me to give you specific dates. It has been all through my life as long as I have been an insulator. It has been on many many jobs and over a long period of time. I just don't know the exact dates. I don't know how long Owens-Corning Fiberglas Corporation has been manufacturing this product and asbestos insulating materials.

(c) I've worked for many employers.

My employers are contractors, all contractors use different types of material and get the material from different manufacturers.

(d) It would be impossible for me to give you the places where I've worked around this material. It has been different places at different times.

(e) The symptoms came on gradually and did not injure me all at one time. My symptoms are shortness of breath, coughing, clubbing of the fingers and toes, and I have to carry oxygen in my car and keep a bottle in my home.

Interrogatory No. 2: The materials were harmful and I was not warned of this by anyone. I was provided with no protective clothing or mask and no literature was given to me showing that the material was harmful. If studies were made by Owens-Corning that showed the dangerous nature of this material, no studies were made available to me. There was no warning on the boxes of materials showing that special equipment or clothing should be used, and if this defendant did not make any

studies, then it was highly negligent in not doing so.

Interrogatory No. 3: They were not suitable because they were used by workers who were not given any warning of their dangerous nature. The manufacturer knew or should have known of the dangerous effects of contact with the skin and inhalation into the lungs of the asbestos fibers which they manufactured and distributed. It is presumed by the plaintiff that these materials were intended to be used for insulation and to be installed by human being. They were not suitable for this purpose because to do so has resulted in serious and extreme injuries to me and to other workers and may have shortened my life. Therefore, these materials could not be suitable for this use when they would harm people like they have me.

Claude J. Tomplait

CLAUDE J. TOMPLAIT

SWORN TO AND SUBSCRIBED before me, this the 15th day of January, 1968.

Jackie Bean

NOTARY PUBLIC, ORANGE COUNTY, TEXAS

The Tomplait v. Combustion Engineering Case File (1962-1969), Response to Owens-Corning Fiberglas interrogato… Published by AsbestosClaims.Law
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VS.

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LAW OFFICES
STEPHENSON, THOMPSON & MORRIS
STEPHENSON BUILDING
ORANGE, TEXAS

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