IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
FEB 14 1968
James R. Cooney, Clerk, U. S. Court
By _____ DEPUTY

CLAUDE J. TOMPLAIT

VS.

COMBUSTION ENGINEERING, INC., ET AL.

CIVIL ACTION NO. 5402

ANSWERS OF THE DEFENDANT, JOHNS-MANVILLE FIBER GLASS INC., TO INTERROGATORIES PROPOUNDED BY PLAINTIFF.

In accordance with the provisions of Rule 33, Federal Rules of Civil Procedure, Johns-Manville Fiber Glass Inc., hereby answers the Interrogatories of plaintiff dated November 3, 1967.

Based on information obtained from defendant's employees, with the advice of its counsel, defendant has attempted to furnish the information requested in the interrogatories, but it reserves the right to amend or supplement its answers if it finds that inadvertent omissions or errors have been made, or if additional or more accurate information becomes available.

Interrogatory No. 1.

Johns-Manville Fiber Glass Inc., was organized on December 5, 1958, and began manufacturing products including insulating materials on or about January 1, 1959. The insulating materials manufactured by defendant, Johns-Manville Fiber Glass Inc., during the period 1959-1967 are listed on Exhibit A attached hereto and made a part of this answer. The printed block capitalized name given for each product is defendant's trade name. Where there is a generally recognized name for a product in the sense of a generic term, that description is included in parentheses.

Interrogatory No. 2.

No.

Interrogatory No. 3.

Defendant understands the term "asbestos workers" in this Interrogatory to mean workers who work in the field in installing insulation products (as opposed, for example, to production workers in mines and manufacturing plants). Based upon such understanding the answer is "None"; however, see defendant's answer to Interrogatory No. 4 immediately below.

Interrogatory No. 4.

Defendant is presently participating in three studies that are currently being conducted: (1) The Fibrous Dust Study by The Industrial Hygiene Foundation of America; (2) The Asbestos Industry Study by the U. S. Public Health Service; and (3) The Insulation Workers' Health Studies by the U. S. Department of Health, Education and Welfare. Each of these studies was only begun in 1966 or 1967 and no reports are as yet available. Defendant understands that reports will be published as information is developed.

Interrogatory No. 5.

Defendant packages and sells products containing fiber glass. It does not package and sell any of the other products named in "Plaintiff's First Amended Original Complaint". The products were sold to the trade by a sister corporation, Johns-Manville Sales Corporation, a Delaware corporation. Johns-Manville Sales Corporation sold such products primarily to distributors but occasionally directly to owners of installations, all tiers of contractors and subcontractors and equipment manufacturers, etc. The products packaged and sold by defendant which contain fiber glass are sold in and/or on boxes and/or cartons and/or packages and/or skids and/or bales. These products were used universally throughout the United States.

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Interrogatory No. 6.

The products were not used primarily in any specific location or area.

Interrogatory No. 7.

With respect to various occupational diseases including asbestosis and silicosis, Defendant answers in the negative. With respect to dermatitis, Defendant recognizes that prolonged use of the insulating materials manufactured by it can cause or contribute to cause skin irritation.

GORDON R. PATE
1119 Beaumont Savings Building
Beaumont, Texas 77701

Attorney for Johns-Manville
Fiber Glass Inc.

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THE STATE OF TEXAS §
§
COUNTY OF JEFFERSON §

Gordon R. Pate, being duly sworn, upon oath states that he is the attorney of record for the defendant, Johns-Manville Fiber Glass Inc., and authorized in the course of his employment to make and present the foregoing answers to plaintiff's interrogatories, which he does under said authority, and being cognizant of the matters therein set forth and based upon the information furnished him and the investigation conducted as to the subject matter of the interrogatories, says that the said answers are true and correct.

Gordon R. Pate
GORDON R. PATE

SWORN TO and SUBSCRIBED before me, the undersigned authority, on this 14th day of February, 1968.

[illegible]
NOTARY PUBLIC in and for
Jefferson County, Texas

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing answers to interrogatories was on the 14th day of February, 1968, served upon counsel for each of the other parties herein by depositing the same in the United States mail postage prepaid, addressed to Mr. Ben L. Reynolds, Royston, Rayzor & Cook, 877 San Jacinto Building, Houston, Texas 77002; Mr. Ward Stephenson, Stephenson Building, Orange, Texas; Mr. John Rienstra, Beaumont Savings Building, Beaumont, Texas 77701; Mr. George A. Weller, P. O. Box 350, Beaumont, Texas 77704; Mr. Charles S. Pipkin, P. O. Box 1632, Beaumont, Texas 77704; Mr. George Duncan, Beaumont Savings Building, Beaumont, Texas 77701; Mr. John Tucker, Beaumont Savings Building, Beaumont, Texas 77701.

Gordon R. Pate
GORDON R. PATE

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EXHIBIT "A" to answers of Johns-Manville Fiber Glass, Inc., to Interrogatory No. 1 of Interrogatires propounded to Defendants in Claude J. Tomplait vs. Combustion Engineering Co. (where there is a generally recognized generic term, that description appears in parenthesis).

1. ATTENU-LITE DUCT LINER. (Fiber Glass Duct Liner 1966) A dual-denisty, all-black blanket-type liner for heating and cooling ducts. Serves as both thermal and accoustical insulation. Thin, heavy-density fiber glass surface faces air stream.

2. AUTOMOTIVE HEADLINER. (Automotive Insulation) Molded glass fiber.

3. CHOPPED STRAND INDUSTRIAL MAT. (Weatherproofing) A glass fiber textile mat bonded with synthetic resin.

4. COUSTIC-AIRE. (Aircraft Insulation) Made of MICROLITE B-Fiber or AA Fiber.

5. DYNA-QUARTZ. (High Temperature Felt) Composed of clean, white, 99% pure silica fibers).

6. E FELT. (Flass Felt) Lightweight felts of incombustible glass fibers bonded with a thermosetting resin.

7. FIBER GLASS HEADLINER. (Automotive Insulation) Molded glass fiber.

8. FIBER GLASS HOOD LINER. (Automotive Insulation) A molded combination of two glass fiber components bonded with a thermo-setting resin.

9. HEADLINER. (Automotive Insulation) Molded glass fiber.

10. HOOD INSULATION. (Automotive Insulation) A molded combination of two glass fiber components bonded with a thermo-setting resin.

11. INCOMBUSTIBLE HULLBOARD-SG. (Marine Insulation) A glass fiber marine insulation; furnished plain or faced with treated glass fiber cloth.

12. METAL BUILDING INSULATION. MICROLITE and MICROTEX glass fiber with vapor barrier facing or SPINTEX plain or with facing.

13. MICRO-AIR BMF DUCT BOARD. (Fiber Glass Duct Insulation 1964) Same as Micro-Aire Duct Board but with pre-molded male and female slip-joints along edges.

14. MICRO-AIRE DUCT. (Fiber Glass Duct 1962) Preformed around fiber glass.

15. MICRO-AIRE DUCT BOARD. (Fiber Glass Board 1964) Fiber glass board with 3-mil aluminum facing.

16. MICRO-BAR DUCT LINER. (Fiber Glass Blanket) A resilient, dual-density, fiber glass, blanket-type thermal and acoustical insulation for heating and cooling ducts. Surface facing air stream is made of black, heavy-density fiber glass with black plastic coating.

17. MICRO-AIRE FS DUCT. (Fiber Glass Duct 1962) Preformed around fiber glass duct with integral foil barrier and no jacket.

18. MICRO-COUSTIC DUCT LINER. (Fiberglass Board) Same as MICRO-BAR, but without black plastic coating on black, heavy density surface.

19. MICROFELT. (Fiberglass Blanket) Thin blanket of fine glass fibers.

20. MICRO-FIBERS. (Fiberglass Felt) A borosilicate glass fiber insulation.

21. MICROFINE. (Fiberglass Blanket) Made of glass fibers bonded with a thermosetting resin.

22. MICRO-FOIL TAPE. (Insulating Tape) An insulating tape utilizing 3/16" thick MICRO-FIBERS felt.

23. MICROLITE. (Fiberglass Blanket) Formed from fine glass fibers.

24. MICROLITE AA FIBER. (Glass Fibers) Lightweight felts of incombustible glass fibers bonded with a thermosetting resin.

25. MICROLITE B-FIBER. (Glass Fibers) Lightweight felts of incombustible "B" glass fibers bonded with a thermo-setting resin or unbonded.

26. MICRO-LOK. (Fiber Glass Pipe Insulation) A one-piece fiber glass pipe insulation.

27. MICRO-QUARTZ. (Fiberglass Felts) A high-temperature glass fiber insulation, composed of 98% pure quartz.

28. MICROTEX BLANKET INSULATION. (Fiberglass Blankets) A semi-rigid blanket made from fine glass fibers reinforced with glass textile yarn.

29. MICROTEX DUCT LINER. (Fiberglass Blanket) A strong, resilient glass fiber materials.

30. MICRO-TUF. (Fiberglass Felts) A strong, lightweight, resilient glass fiber appliance insulation for water heaters, stoves and refrigerators.

31. RX RANGE INSULATION. (Fiberglass Felts) Fiberglass thermal insulations for standard applications and unique higher heat oven conditions.

32. RX 65. (Fiberglass Felts) Flame-blown glass fiber insulation developed for high thermal efficiency in refrigerators and freezers.

33. TENU-MAT DUCT LINER. (Fiberglass Blanket 1964) A flexible, fiber glass blanket-type thermal and acoustical insulation, bonded fiber glass mat, coated with black plastic.

34. TOPLINER. (Automotive Insulation) Molded glass fiber.

35. TRANSULITE. (Fiberglass Blanket) A lightweight glass fiber blanket insulation.

36. TUF-SKIN MICROLITE. (Fiberglass Blanket 1962) Composed of two glass fiber components bonded with a thermosetting resin.

37. UNBONDED B-FIBER. (Glass Fibers) Same as MICROLITE except the binder is omitted and fibers remain white; for specialized high temperature applications and for use by fabricators as a constituent of special insulating products.

38. VEL-COUSTIC DUCT LINER. (Fiberglass Ducts 1964) Preformed fiberglass ducts for low velocity air distribution systems.

39. VEL-GUARD DUCT LINER. (Fiberglass Ducts 1964) Preformed, round fiberglass ducts for high velocity air distribution systems.

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TEXAS

BEAUMONT DIVISION

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