IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED
FEB 15 1969
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James R. Cooney, Clerk, U. S. Court
By DEPUTY

CLAUDE J. TOMPLAIT (
)
VS. (Civil Action No. 5402
)
COMBUSTION ENGINEERING, INC., ET AL (
)

ANSWERS OF THE DEFENDANT, EAGLE PICHER INDUSTRIES, INC., TO INTERROGATORIES PROPOUNDED BY PLAINTIFF

TO: Claude J. Tomplait,
through his attorneys,
Ward J. Stephenson,
of Stephenson, Morris & Thompson,
Stephenson Building,
Orange, Texas

For Answers to Interrogatories filed by the Plaintiff, Defendant, Eagle-Picher Industries, Inc., would respectfully show as follows:

1.

Product	Date First Manufactured	Description	Composition
H-4 Special Fiber	1957	A dark gray fiber in loose form, consisting of very fine fibers having a minimum of oil treatment and suitable for hand application; expressly designed for use in insulating equipment operating at extremely low temperatures.	Silicate Aluminum Oxide Ferrous Oxide Calcium Oxide
H-2 Loose Superglas Fiber	Pre-1950	A dark gray Superglas Fiber in loose form suitable for manual application.	Silicate Aluminum Oxide Ferrous Oxide Calcium Oxide
7-B Granulated Mineral Wool	1952	Dark gray, soft and resilient, chemically stable, moisture resistant, granulated mineral wool suitable for pneumatic or hand application in industrial equipment.	Silicate Aluminum Oxide Ferrous Oxide Calcium Oxide

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PV Supertemp Block	Pre-1950	A dark gray mineral wool insulating block composed of Eagle-Picher Mineral Wool and suitable binding agents. The block is water repellent and formed into semi-rigid rectangular shapes having square corners and parallel faces.	Supertemp Granulated Wool Starch Bentonite Clay Aluminum Sulfate Caustic Soda
1200° Bonded Blanket	Pre-1950	A dark gray mineral wool felt having metal fabric on both sides held in place by No. 20 gage galvanized tie wires.	Eagle-Picher mineral wool felt bonded with resin Metal fabrics No. 20 gage galvanized soft iron wire
700° Bonded Blanket	1960	A dark gray mineral wool felt having metal fabric on one or both sides held in place by No. 20 gage galvanized tie wires.	Eagle-Picher mineral wool felt bonded with resin Metal fabrics No. 20 gage galvanized soft iron wire
MT Boards	Pre-1950[1]/	Dark gray mineral wool fiber bonded with an anti-punking type binder and formed into rectangular sheets of controlled thickness and density. The board is water repellent and with parallel faces and square corners.	Eagle-Picher mineral wool Resin Annealing oil Water
Mineral Wool Felts	Pre-1950[1]/	Dark gray mineral wool fiber bonded with a suitable binder and formed into rectangular sheets of controlled thickness and density. Controlled binder application provides the degree of rigidity or flexibility specified. The felt is water repellent and with parallel faces and square corners.	Eagle-Picher mineral wool Resin Annealing oil Water
Alum-A-Felt Pipe Covering	1963	High temperature inorganic fiber felt bonded with "non-punking" binders and with an integral, plain aluminum weatherproof metal jacket.	Eagle-Picher mineral wool Resin Annealing oil Water Aluminum jacket
TAB-LOK Pipe Insulation	1957	Dark gray mineral wool fiber formed between a layer of No. 20 wire, netting on the outside and strips of 2.5 lb. diamond mesh expanded metal lath on the inside. The netting is cut to perfectly enclose the outside insulation circumference of the pipe size and thickness of insulation specified. Each piece of TAB-LOK provides a two foot section of pipe insulation.	Eagle-Picher Loose Wool No. 20 wire 2.5 lb. Diamond Mesh Metal Lath No. 20 Gage Galvanized Soft Iron Wire

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Super 66 Insulating Cement	Pre-1950	A dry, bulk cement composed of Eagle-Picher granulated mineral wool thoroughly blended with suitable binding, rust inhibitive, and plasticizing ingredients.	Granulated Wool Screen Test Asbestos Bentonite Clay Tri-Sodium Phosphate Sodium Nitrite Sudsing Agent
"43" Finishing Cement	Pre-1950	Durable, hard, white finish coating for indoor insulation on heated surfaces.	Asbestos Portland Cement
Fire-proofing Cement	1947[2]/	A dry, bulk, high temperature cement composed of Asbestos Fiber and Bentonite Clay thoroughly blended with suitable binding, rust inhibitive and plasticizing ingredients.	Portland Cement Bentonite Clay Asbestos Perlite Fly Ash Coke Glass Fiber
One-Cote Cement	1951	A dry, bulk cement composed of Eagle-Picher granulated mineral wool and diatomaceous earth thoroughly blended with suitable binding, rust inhibitive, and plasticizing ingredients.	Gran. Wool Bentonite Clay Sodium Nitrite Sudsing Agent Portland Cement Plaster Asbestos Diatomaceous Earth
Hylo Cement	1963	A dry, bulk cement composed of Eagle-Picher granulated mineral wool and diatomaceous earth thoroughly blended with suitable binding, rust inhibitive, and plasticizing ingredients.	Gran. Wool Diatomaceous Earth Bentonite Clay Asbestos Portland Cement Sodium Nitrite Plaster Sudsing Agent
Hi-Stick Cement	1964	A new insulating cement specially formulated to give maximum adhesion to valves and fittings.	Gran. Wool Bentonite Clay Sodium Nitrite Sudsing Agent Portland Cement Plaster Asbestos
Insulseal	Pre-1950	A tough, black, fireretardent, protective coating for insulation composed of asbestos, clay and other additives in an asphalt base.	Asphalt Asbestos Bentonite Clay Water Carbon Black

1/ Discontinued from 1954 to 1961
2/ Discontinued since 1963

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2.

This Defendant denies that the materials manufactured by it were of a dangerous nature in that each of its products were suitable and reasonably fit for the purpose for which the products were manufactured.

3.

No studies have been made by this Defendant.

4.

No Answer is required because of the Answers to No. 3.

5.

(1) Defendant Eagle-Picher packaged "Eagle-Picher Fireproofing Cement" which is sold to contractors and to its distributors prior to 1963 but not thereafter.

(2) Defendant Eagle-Picher packaged "Eagle-Picher 85% Magnesia Pipe Covering" and "Eagle-Picher 85% Magnesia Block Insulation", both of which products Defendant Eagle-Picher sold to its contractors and to its distributors prior to 1960 but not thereafter.

(3) Defendant Eagle-Picher packages and sells to contractors and to its distributors the following mineral wool insulating cements - "43" Finishing Cement, Hi-Stick Cement, and Hylo Cement. In addition, Defendant Eagle-Picher packages the following mineral wool insulating cements under its own trade name and sells them to contractors, to distributors and to certain large ultimate users, and also packages such cements for private accounts under their respective trade names - Eagle Super 66 Insulating Cement and One-Cote Cement.

Other than the above-mentioned, no products which Defendant Eagle-Picher packages and sells under any of its own trade names or which it packages for and sells to private brand accounts under their respective trade names is mentioned specifically in the First Amended Complaint. All products packaged under Defendant Eagle-Picher's trade names were distributed nationally. All products are packaged in suitable containers.

6.

As indicated by Interrogatory No. 5, products manufactured by this manufacturer are distributed nationally. However, it cannot be ascertained where products are distributed which are manufactured by Defendant for others under private brands.

7.

No.

8.

It is this Defendant's understanding that Interrogatory No. 8 has been withdrawn.

ROYSTON, RAYZOR & COOK
877 San Jacinto Building
Houston, Texas 77002

By 
Ben L. Reynolds,
Attorneys for Defendant
Eagle-Picher Industries, Inc.

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THE STATE OF TEXAS (
)
COUNTY OF HARRIS (

AFFIDAVIT

BEFORE ME, the undersigned authority, on this day, personally appeared Ben L. Reynolds, known to me to be the person whose name is subscribed to the foregoing Answers to Interrogatories, and stated that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge, information, and belief.

Notary Public in and for
Harris County, Texas

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Answers to Interrogatories were served on Mr. Ward Stephenson, of Stephenson, Morris & Thompson, Stephenson Building, Orange Texas, by placing a copy in the United States Mail, postage prepaid, on this the 14th day of February, 1968. A copy is also served on all other counsel of record by mail on this same date.

Ben L Reynolds
Of Royston, Rayzor & Cook

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VS.

COMBUSTION ENGINEERING,
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ANSWERS TO INTERROGATORIES

ROYSTON, RAYZOR & COOK
ATTORNEYS AT LAW
SAN JACINTO BUILDING
HOUSTON, TEXAS

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