IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED

MAR 7 1968 19

James R. Cooney, Clerk, U. S. Court

By Margaret Lucas DEPUTY

CLAUDE J. TOMPLAIT :

VS. : CIVIL NO. 5402

COMBUSTION ENGINEERING, INC., ET AL :

INTERROGATORIES PROPOUNDED TO DEFENDANT OWENS-CORNING FIBERGLAS CORPORATION

TO: OWENS-CORNING FIBERGLAS CORPORATION and KING, SHARFSTEIN AND RIENSTRA, 707 Beaumont Savings Building, Beaumont, Texas, Attorneys for said Defendant:

CLAUDE J. TOMPLAIT, plaintiff, hereby serves upon the above named defendant the following written interrogatories to be answered fully and fairly in writing under oath, which shall be signed by the person or persons making such answers, a copy of such answers to be served upon plaintiff's attorney within fifteen (15) days after service herein, in accordance with Rule 33 of the Federal Rules of Civil Procedure:

INTERROGATORY NO. 1: In answer to our previous Interrogatory No. 1, you answered by stating that since 1950 you had manufactured a variety of industrial insulating materials comprised principally of glass fibers. Please state whether or not during such time you manufactured any products containing asbestos. If so, please give the name and identity and quantity of asbestos contained in each product.

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INTERROGATORY NO. 2: In answer to our previous Interrogatory No. 2, you explained the warnings or statements contained for Kaylo and Kaylo 20. Please state when this statement or warning was first put on these products. Also please explain why this warning was not put on prior to the date you mention.

INTERROGATORY NO. 3: In response to our previous Interrogatory No. 3, you give certain answers concerning glass but you did not give answers of what studies were made of products containing asbestos manufactured by your company. Please be as detailed concerning asbestos as you were concerning glass in answer to this question.

INTERROGATORY NO. 4: In your answer to our previous Interrogatory No. 5, you mentioned glass fiber and calcium silicate, but you did not answer concerning asbestos fibers. Please do so.

INTERROGATORY NO. 5: In answer to our previous Interrogatory No. 7, you deny that prolonged use of insulating materials manufactured by you and which contain asbestos fibers can cause asbestosis. Please explain the basis of this answer and any studies or medical literature which support such answer. Also, please explain what causes the disease asbestosis.

INTERROGATORY NO. 6: In the statement of warning you have placed on Kaylo and Kaylo 20, why was the admonition used: "This Product Contains Asbestos Fiber - If dust is created when this product is handled, avoid breathing the dust." Why was this warning given and what would be the effect of it? Please answer the same inquiry as to the balance of such warning which reads, "If adequate ventilation control is not possible, wear respirator approved by U.S. Bureau of Mines."

INTERROGATORY NO. 7 Our previous Interrogatory No. 2 inquired as to whether or not

any warnings were given to workers. This did not mean to imply workers employed under contract with this defendant, but the interrogatory is, and we will repeat it, "Did you ever at any time give warnings to workers of the dangerous nature of insulating materials manufactured by you? If so, describe such warnings and to whom such warnings were given." In referring to "workers" is meant regardless of who they worked for or where located.

INTERROGATORY NO. 8: If your answer to the preceding interrogatory is in the negative and that no warnings of any kind were given, then please state why no warnings were given concerning the use of asbestos products.

INTERROGATORY NO. 9: If your answer to the preceding interrogatory is that you did not feel that the materials manufactured by your company were of a dangerous nature, explain how you came to this conclusion in the face of your answer to our previous Interrogatory No. 3, stating that no studies were made by you.

STEPHENSON, THOMPSON AND MORRIS

By_____
Attorneys for Plaintiff
Stephenson Building
Orange, Texas 77630

CERTIFICATE OF SERVICE BY MAIL

A copy of the foregoing Interrogatories has been forwarded to King, Sharfstein and Rienstra, 707 Beaumont Savings Building, Beaumont, Texas, on this the 4 day of March, 1968, by Certified Mail, Return Receipt Requested.

_____
Ward Stephenson

NO. 5402

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INTERROGATORIES PROPOUNDED TO DEFENDANT OWENS-CORNING FIBERGLAS CORPORATION

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

The Tomplait v. Combustion Engineering Case File (1962-1969), Interrogatories to Owens-Corning Fiberglas
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