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

FILED
MAY 6 1968
James R. Cooney, Clerk, U. S. Ct.
By Margaret Lewis DEPUTY

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

ANSWERS OF DEFENDANT EAGLE-PICHER INDUSTRIES, INC. TO SECOND SET OF INTERROGATORIES PROPOUNDED BY PLAINTIFF

1. Packages having asbestos containing cement in them contained the cautionary note advising that inhalation of asbestos in excessive quantities over long periods of time may be harmful, and stating if dust is created when this product is handled, avoid breathing the dust. If adequate ventilation control is not possible, wear respirators approved by the U.S. Bureau of Mines for pneumoconiosis producing dusts. This notice was commenced in May, 1964.

2. No answer is required.

3. It was concluded that none of the materials manufactured by this Defendant were harmful to users of such materials because the company has never had a serious respiratory problem in the manufacturing plant caused by contact with the product produced. It is obvious that a greater concentration of the product exists in the manufacturer of it than in the installation or application of it.

4. Objection is made to this Interrogatory for the reason that the scope of the inquiry is improper and it is too broad and general and not a proper Interrogatory.

ROYSTON, RAYZOR & COOK

By _____
Ben L. Reynolds,
Attorneys for Defendant,
Eagle-Picher Industries, Inc.
877 San Jacinto Building
Houston, Texas 77002

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.

SWORN TO and SUBSCRIBED TO BEFORE ME, on this the 2nd day of May, 1968.

_____
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 of the same in the United States Mail, postage prepaid, on this the 2nd day of May, 1968. A copy is also being served on all other counsel of record by mail on this same date.

_____
Of Royston, Rayzor & Cook

The Tomplait v. Combustion Engineering Case File (1962-1969), Response to plaintiff's second interrogatories Published by AsbestosClaims.Law
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C. A. NO. 5402

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ANSWERS TO INTERROGATORIES

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

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