Orig. Dep by Pltf. 25

CIVIL ACTION NO. 5402

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CLAUDE J. TOMPLAIT

VS.

COMBUSTION ENGINEERING, INC., ET AL

FILED

MAY 24 1968 19

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

By Virginia R. Lewis DEPUTY

WRITTEN DEPOSITION OF J. J. HOARD

(Taken by Plaintiff)

ORIGINAL

JO WOLAVER

SHORTHAND REPORTER

ORANGE, TEXAS

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CLAUDE J. TOMPLAIT :

VS. : CIVIL NO. 5402

COMBUSTION ENGINEERING, INC., ET AL :

NOTICE

TO: Mr. Ben L. Reynolds
Royston, Rayzor and Cook
Attorneys at Law
877 San Jacinto Building
Houston, Texas 77002

Attorneys for Defendant EAGLE-PICHER INDUSTRIES, INC.

Mr. John D. Rienstra
Attorney at Law
707 Beaumont Savings Building
Beaumont, Texas 77701

Attorney for Defendant OWENS-CORNING FIBER GLASS CORPORATION

Mr. John Tucker
Attorney at Law
Orgain, Bell and Tucker
Beaumont Savings Building
Beaumont, Texas 77701

Attorney for Defendant GUSTIN-BACON MANUFACTURING COMPANY

Mr. George A. Weller
Attorney at Law
P. O. Box 350
Beaumont, Texas 77701

Attorney for Defendant FIBERBOARD PAPER PRODUCTS CORPORATION

Mr. Charles S. Pipkin
Attorney at Law
P. O. Box 1632
Beaumont, Texas 77704

Attorney for Defendants COMBUSTION ENGINEERING, INC. and REFRACTORY & INSULATION CORPORATION

Mr. George E. Duncan
Attorney at Law
Beaumont Savings Building
Beaumont, Texas 77701

Attorney for Defendants PITTSBURGH PLATE GLASS COMPANY and PITTSBURGH CORNING CORPORATION

Mr. Gordon R. Pate
Attorney at Law
1119 Beaumont Savings Building
Beaumont, Texas 77701

Attorney for Defendants JOHNS-MANVILLE PRODUCTS CORPORATION and JOHNS-MANVILLE FIBER GLASS, INC.

Gentlemen: Please take notice that the deposition of the Office Manager or other officer of Sabine Insulation Company, Inc., Orange, Texas, will be taken on behalf of the plaintiff upon certain interrogatories, of which a copy is herewith served upon you, and such cross-interrogatories as may be duly served herein, before Mrs. Jo Wolaver, Court Reporter, Courthouse, Orange, Texas.

STEPHENSON, THOMPSON AND MORRIS

ORIGINAL SIGNED BY
WARD STEPHENSON

By _____
Attorneys for Plaintiff
Stephenson Building
Orange, Texas 77630

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CLAUDE J. TOMPLAIT	:	
VS.	:	CIVIL NO. 5402
COMBUSTION ENGINEERING, INC., ET AL	:	

INTERROGATORIES TO BE PROPOUNDED TO THE OFFICE MANAGER OR OTHER OFFICER OF THE SABINE INSULATION COMPANY, INC.

Interrogatories to be propounded to the Office Manager or Other Officer of the Sabine Insulation Company, Inc., Orange, Texas, a witness to be produced, sworn and examined on the part of the above named plaintiff by Mrs. Jo Wolaver, Court Reporter, Courthouse, Orange, Texas:

FIRST INTERROGATORY:	Since the year 1950, has Claude J. Tomplait been employed by your company on one or more jobs?
SECOND INTERROGATORY:	If so, please state whether or not insulating materials containing asbestos were either used by Mr. Tomplait or by others working on the same job?
THIRD INTERROGATORY:	Have you, as an employer of insulators, ever received any warnings or precautions for use to instruct your employees doing insulating work to follow concerning the harmful nature of asbestos, or asbestos fibers, or asbestos dust?
FOURTH INTERROGATORY:	If you have answered the preceding interrogatory "Yes" then please give the details of such warnings or notices giving the wording and where and when such warnings were given.

FIFTH INTERROGATORY: If you have answered the preceding question that such warnings were given, then please state what action you took in response to such warnings to safe guard your workers using or working around asbestos materials.

STEPHENSON, THOMPSON AND MORRIS

ORIGINAL SIGNED BY
WARD STEPHENSON
By _____
Attorneys for Plaintiff
Stephenson Building
Orange, Texas 77630

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

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

ANSWERS AND DEPOSITION of J. J. HOARD, Sabine Insulation Company, Inc., called as a witness by the Plaintiff, taken before Jo Wolaver, Official Court Reporter in and for the 163rd Judicial District Court of Orange County, Texas, on the 20th day of May, 1968 at 5:30 o'clock p.m., in the office of J. J. Hoard, Sabine Insulation Company, Inc., 501 Dayton Street, Orange, Texas, pursuant to the attached Notice and the hereto attached Direct Interrogatories:

ANSWERS OF THE WITNESS, J. J. HOARD

TO THE DIRECT INTERROGATORIES

TO DIRECT INTERROGATORY NO. 1 HE ANSWERS:

Yes.

JO WOLAVER
SHORTHAND REPORTER
ORANGE COUNTY COURTHOUSE
ORANGE, TEXAS

TO DIRECT INTERROGATORY NO. 2 HE ANSWERS:

Yes.

TO DIRECT INTERROGATORY NO. 3 HE ANSWERS:

To my knowledge, we have never received a written notice or warning regarding the danger involved in applying insulation containing asbestos, however, representatives from various manufacturers have appeared at our Contractor Association meetings and have presented programs on the dangers of asbestosis. It is fairly common knowledge in our industry that there have been rare cases of asbestosis and that there is a possible harmful affect derived from an extended use of the material.

TO DIRECT INTERROGATORY NO. 4 HE ANSWERS:

I am attaching copies of a program from the Nineteenth Semi-Annual Meeting of the Southwest Insulation Contractors Association, Inc. which took place May 4, 5, 6, 1967 in Arlington, Texas. You will note that a program entitled "Health and Safety Program" took place from 9:30 a.m. until noon on May 4, 1967. This program was presented by representatives of the National Insulation Manufacturers Association and the problem of asbestosis was the principal topic.

TO DIRECT INTERROGATORY NO. 5 HE ANSWERS:

No particular response to the above mentioned program was taken, but the principal safeguard that we have

The Tomplait v. Combustion Engineering Case File (1962-1969), Deposition of J. J. Hoard, Sabine Insulation repres... Published by AsbestosClaims.Law
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always taken to protect our men from asbestosis has been to make available face masks or respirators to filter the asbestos dust. The principal useage of these masks has been in confined spaces where power saws were set up to cut the insulating material which created an intensive dust problem. It is difficult to persuade the insulator mechanics to wear these masks because they are hot and uncomfortable to wear to some extent. In our main shop at our home office we have installed a dust collecting system which is attached to all power saws and reduces the dusting problem considerably.

J. J. HOARD

JO WOLAVER
SHORTHAND REPORTER
ORANGE COUNTY COURTHOUSE
ORANGE, TEXAS

THE STATE OF TEXAS :

COUNTY OF ORANGE :

I, Jo Wolaver, Official Court Reporter in and for the 163rd Judicial District Court of Orange County, Texas, do hereby certify that the facts stated by me in the caption hereto are true; that at the time and place stated the witness personally appeared before me and was propounded the Direct Interrogatories attached hereto; that the testimony of said witness was taken down by me, and was then reduced to typewriting by me and thereafter read over by the witness and subscribed thereto.

WITNESS MY HAND this 22nd day of May, 1968.

Jo Wolaver

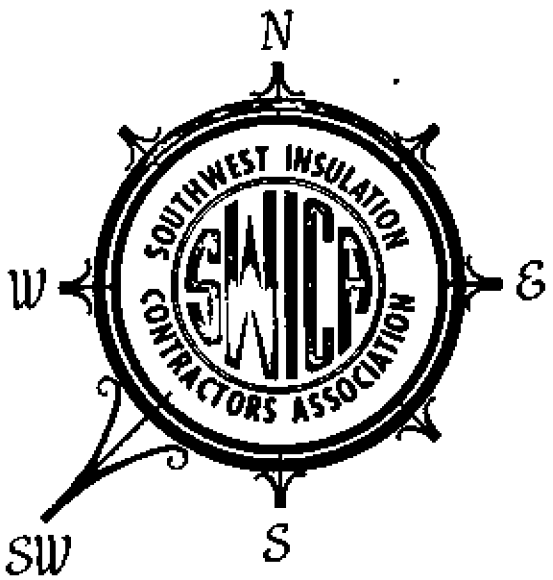
Jo Wolaver, Official Court Reporter,
163rd Judicial District Court of
Orange County, Texas

JO WOLAVER
SHORTHAND REPORTER
ORANGE COUNTY COURTHOUSE
ORANGE, TEXAS

SOUTHWEST INSULATION CONTRACTORS ASSOCIATION, INC.

NINETEENTH SEMI-ANNUAL MEETING

MAY 4, 5 and 6, 1967



The Inn of the Six Flags

ARLINGTON, TEXAS

"There Is Strength In Unity"

PROGRAM

WEDNESDAY, MAY 3, 1967

7:00 P.M.	Board Meeting	Parlor B
	Relax . . . . . Club Southwest	

THURSDAY, MAY 4, 1967

9:00 A.M.	Call to Order - Tovar & Alvarado Rooms	
		C. E. Foster, President, presiding
	Invocation	J. K. Dixon, Past-President
	Welcome to Arlington	Tom Vandergriff, Mayor
	Presentation of Plaques to New Members	
9:30 A.M.	"HEALTH & SAFETY PROGRAM"	
	Presented by National Insulation Manufacturers Assn.	
	Panel: J. M. Barnhart Clifford Shenkler J. F. Vyverberg	
12 Noon	Lunch	Lopez & Coronado Rooms
	Insulation Contracting "Down Under" by E. H. Parker	
1:15 P.M.	Address	W. E. "Pete" Frost, President Mechanical Contractors Associations of Texas
2:00 P.M.	Business Session	
	Reports of Committees: H. C. Porter, Standards & Specifications B. G. Chew, Finance & Budget M. G. Steinmeyer, Membership W. M. Murfin, Conventions H. T. Branton, Parliamentarian E. J. Stern, Newsletter & Publicity J. K. Dixon, Legislative	
6:30 P.M.	President's Reception	Patio
8:30 P.M.	Barbecue Supper	Coronado & Lopez Rooms