IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
JUN 3 1968
M 19
James E. Cooney, Clerk, U. S. Court
By Virginia K. Lester DEPUTY

CLAUDE J. TOMPLAIT

VS.

COMBUSTION ENGINEERING, INC., ET AL

CIVIL ACTION NO. 5402

OBJECTIONS TO INTERROGATORIES PROPOUNDED BY PLAINTIFF TO DR. STANTON P. FISCHER

COME NOW the undersigned defendants, and file this, their objections to certain interrogatories propounded to Dr. Stanton P. Fischer, a witness for plaintiff:

1.

These defendants object to Interrogatory No. Seven for each and all of the following reasons:

(a) Because the report of the doctor is not admissible.

(b) Because such report contains hearsay and is based on hearsay statements made by the plaintiff, who has related his history.

(c) Because such report is based in part on X-rays which have not been identified by the doctor and are not available for examination or cross-examination.

2.

These defendants object to the Eighth Interrogatory for each and all of the following reasons:

(a) Because the opinion in part is based upon X-rays which have not been introduced in evidence, and have not been identified by the doctor.

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(b) Because the X-rays should be made available and attached to the deposition for purposes of cross-examination.

(c) Because the question calls for opinions and conclusions without any proper predicate being laid for such opinions and conclusions.

WHEREFORE, the undersigned defendants pray that the objections to these interrogatories be sustained, and that the taking of the deposition be postponed until the ruling of the Court on these objections.

Respectfully submitted;

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CERTIFICATE OF SERVICE

Attorneys for defendants certify that a true and correct copy of these objections and motion has been mailed to Mr. Ward Stephenson, attorney for plaintiff, Stephenson Building, Orange, Texas 77630, by certified mail on the 3 day of June 1968.

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