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		

ANSWERS TO DIRECT INTERROGATORIES
HAROLD C. DRIEMEIER

(ORIGINAL)

FILED
JUN 4 1968
M 19
James R. Cooney, Clerk, U. S. Court
By Virginia R Lewis DEPUTY

Taxable Costs: $ 37.50
Paid by Plaintiff

DAHL AND REED
COURT REPORTERS
HOUSTON FIRST SAVINGS BLDG.
HOUSTON, TEXAS

STATE OF TEXAS :
:
COUNTY OF HARRIS :

TO THE SHERIFF OR ANY CONSTABLE OF HARRIS COUNTY, GREETING:

You are hereby required and commanded at the instance of the Plaintiff to summon Harold C. Driemeier, who resides in your county, to be and appear before the undersigned or other notary public in and for Harris County, Texas, on the _____ day of May, 1968, at _____ in the office of Johns-Manville Sales Corporation, 2825 West 11th, Houston, Texas then and there to answer (~~oral~~, written) interrogatories propounded to him (her) by counsel in a suit styled Claude J. Tomplait Vs. Combustion Engineering, Inc., et al being numbered C.A. No. 5402 on the docket of the United States District Court of Beaumont Div. ~~County~~, Texas, and that he (~~she~~) continue in his (~~her~~) attendance from day to day until discharged by me, all in accordance with a commission issued out of said court, on the _____ day of _____, 19___.

HEREIN FAIL NOT, but have you then and there this Writ before me showing how you have executed the same.

GIVEN under my hand and seal of office, and issued, this the 22nd date of May, 1968.

T. S. Williams, Jr.
Notary Public in and for Harris County, Texas T. S. Williams, Jr.

SHERIFF'S OR CONSTABLE'S RETURN

Came to hand the _____ day of _____, 19___, at ____ m., and executed the _____ day of _____, 19___, at ____ m., by serving a true copy of the within Writ on _____, in _____ County, Texas, and tendering _____ (1.00) One dollar, which _____ accepted.

_____
SHERIFF OR CONSTABLE
_____ County, Texas
By: _____
Deputy

Fees: Summoning witness $_____
Mileage $_____
Total $_____

Return to: Dahl & Reed
507 Houston First Savings Bldg.
711 Fannin Street
Houston, Texas 77002

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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

Attorney 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 Harold C. Driemeier, Office Manager of Johns-Manville Sales Corporation, 2825 W. 11th Street, Houston, 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 Dahl & Reed, Court Reporters, Houston First Savings Building, Houston, 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 EASTERNDISTRICT OF TEXAS

BEAUMONT DIVISION

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

INTERROGATORIES TO BE PROPOUNDED TO HAROLD C. DRIEMEIER, OFFICE MANAGER OF JOHNS-MANVILLE SALES CORPORATION

Interrogatories to be propounded to Harold C. Driemeier, Office Manager of Johns-Manville Sales Corporation, a witness to be produced, sworn and examined on the part of the above-named plaintiff by Dahl & Reed, Court Reporters, Houston, Texas:

FIRST INTERROGATORY:	Your name is Harold C. Driemeier and you are Office Manager of Johns-Manville Sales Corporation?
SECOND INTERROGATORY:	In the previous interrogatories submitted to you, Question No. 3 asked for your records back to 1950. You answered beginning in 1962. Do you have available an employment record of Claude J. Tomplait from the year 1950 until 1962?
THIRD INTERROGATORY:	Is it true that your company sells several types of insulating materials containing asbestos?
FOURTH INTERROGATORY:	Were any warnings or precautions given by your sales company to any purchaser of your products between the year 1950 and 1962 as to safe guards that should be used by any worker using materials containing asbestos?
FIFTH INTERROGATORY:	If such warnings were given, please state the wording of such warnings, to whom they were given and where such warnings were placed.

SIXTH INTERROGATORY: If you did not give any such warnings, then please explain why.

SEVENTH INTERROGATORY: As a sales corporation for Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., is it not true that had you advised prospective purchasers as well as workers who might use asbestos products that these products were dangerous to use and might cause the disease of asbestosis, you would have lost many sales?

EIGHTH INTERROGATORY: Is it true that various of your company's competitors make insulating materials containing no asbestos which do as good a job, or which the manufacturers claim do as good a job, as those products manufactured by your parent corporation containing asbestos?

STEPHENSON, THOMPSON AND MORRIS

ORIGINAL SIGNED BY
WARD STEPHENSON

By_____
Ward Stephenson
Attorneys for Plaintiff
Stephenson Building
Orange, Texas 77630

IN THE UNITED STATES DISTRICT COURT

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BEAUMONT DIVISION

CLAUDE J. TOMPLAIT	
VS.	CIVIL NO. 5402
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ANSWERS AND DEPOSITION OF HAROLD C. DRIEMEIER, taken on behalf of the Plaintiff, to the accompanying direct interrogatories propounded to him in connection with the above styled and numbered cause, taken before T. S. Williams, Jr., a Notary Public in and for Harris County, Texas, taken on the 20th day of May, 1968, at Houston, Texas, pursuant to the notice attached hereto.

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HAROLD C. DRIEMEIER,

being duly cautioned and sworn to testify the truth, the whole truth, and nothing but the truth in answer to the direct interrogatories as hereinafter indicated, deposes and says as follows:

DIRECT INTERROGATORIES

QUESTION NO. 1:

Your name is Harold C. Driemeier and you are Office Manager of Johns-Manville Sales Corporation?

ANSWER:

Yes.

QUESTION NO. 2:

In the previous interrogatories submitted to you, Question No. 3 asked for your records back to 1950. You answered beginning in 1962. Do you have available an employment record of Claude J. Tomplait from the year 1950 until 1962?

ANSWER:

No.

QUESTION NO. 3:

Is it true that your company sells several types of insulating materials containing asbestos?

ANSWER:

Yes.

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QUESTION NO. 4:

Were any warnings or precautions given by your sales company to any purchaser of your products between the year 1950 and 1962 as to safe guards that should be used by any worker using materials containing asbestos?

ANSWER:

I don't know.

QUESTION NO. 5:

If such warnings were given, please state the wording of such warnings, to whom they were given and where such warnings were placed.

ANSWER:

Question not applicable due to answer of Interrogatory No. 4.

QUESTION NO. 6:

If you did not give any such warnings, then please explain why.

ANSWER:

Question not applicable due to answer of Interrogatory No. 4.

QUESTION NO. 7:

As a sales corporation for Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., is it not true that had you advised prospective

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purchasers as well as workers who might use asbestos products that these products were dangerous to use and might cause the disease of asbestosis, you would have lost many sales?

ANSWER:

I don't know.

QUESTION NO. 8:

Is it true that various of your company's competitors make insulating materials containing no asbestos which do as good a job, or which the manufacturers claim do as good a job, as those products manufactured by your parent corporation containing asbestos?

ANSWER:

I don't know.

Harold C. Driemeier

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THE STATE OF TEXAS:

COUNTY OF HARRIS:

SUBSCRIBED AND SWORN TO BEFORE ME on this the 20 day of May, 1968.

T. S. Williams, Jr., Notary Public
in and for Harris County, Texas

THE STATE OF TEXAS:

COUNTY OF HARRIS:

I, T. S. WILLIAMS, JR., a Notary Public In and for Harris County, Texas, do hereby certify that the facts as stated in the caption hereto are true; that the foregoing answers of the witness, Harold C. Driemeier, were by said witness made before me, and were sworn to and subscribed by him before me.

T. S. Williams, Jr., Notary Public
in and for Harris County, Texas

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