IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

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

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

OBJECTIONS OF DEFENDANT, FIBREBOARD PAPER PRODUCTS CORPORATION TO INTERROGATORY

TO SAID HONORABLE COURT:

The defendant, Fibreboard Paper Products Corporation, files this its objection to Interrogatories propounded to it by plaintiff, and as grounds therefore would show:

1.

The plaintiff has made inquiry concerning the name and address and title of such person in Texas, and if no one in Texas, then the nearest such person, who would have knowledge of the "business activities" of your company, including the materials manufactured, the ingredients, as well as general information as to the sales and use of the products, and safety rules or suggestions, if any, concerning the use of such products.

(a) This defendant does not know what the plaintiff means by "business activities" of the company as said term is too general and all inclusive.

(b) Defendant objects and says that plaintiff is not entitled to inquire into all "business activity" of this defendant.

(c) Plaintiff has heretofore served this defendant with interrogatories which defendant answered. These interrogatories required information as to:

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(1) The name and trade names of all types of insulating materials manufactured, giving dates that defendant began to manufacture the materials (limited by this court to the year beginning in 1959), a description of the materials and what they contain.

Defendant answered such interrogatory.

(2) In answer to an interrogatory inquiring as to warnings given workers, defendant stated it never had any contact with workers who were employed by independent contractors in the performance of insulation work.

(3) Plaintiff listed certain products by trade name and inquired if their defendent manufactured or distributed same. Defendant stated it manufactured none of said products.

(4) Again plaintiff asked if this defendant manufactured any insulation products which were used by any of the named contractors or employers which were listed in plaintiff's first amended petition, paragraph 15-36 inclusive.

This defendant answered that it did not.

2.

Further objecting to said interrogatory, this defendant says that by affidavit of George Henderson, Sales Manager of the Houston Division of Pabco Products Division of Fibreboard Paper Products Corporation, which is attached to its motion for

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summary judgment, it has asserted that this defendant has not sold any products to the employers or for the jobs listed in the plaintiff's amended complaint.

3.

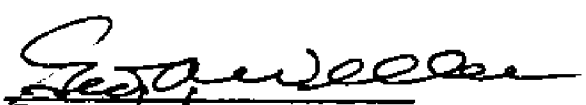
Such interrogatory is just so much more harassment and is an attempt to call for the same information heretofore supplied. Further, the request ask the name of one person who would have knowledge of materials manufactured, ingredients, sales, safety and business activities. In a large corporation such activities are handled by separate departments and different persons would have such knowledge and information. Further, some of such information would be confidential, some is a trade secret and should not be required.

Secondly, this is another attempt at a fishing expedition when the plaintiff has testified he could not identify any product he worked with at any time.

Wherefore, this defendant prays that the court set these objections for hearing, and upon hearing quash such interrogatory.

Respectfully submitted,

WELLER, WHEELUS & GREEN
P. O. BOX 350
BEAUMONT, TEXAS 77704

BY: 
GEO. A WELLER

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing objections of the defendant, Fibreboard Paper Products Corporation, was served on Mr. Ward Stephenson, Stephenson, Thompson and Morris, Stephenson Building, Orange, Texas, attorney for plaintiff by mailing a copy to said address by Certified Mail on the 4 day of June, 1968, and a copy was likewise served on all other attorneys of record by mailing a copy to their respective addresses by regular United States Mail on the 4 day of June, 1968.

Geo. A. Weller

GEO. A. WELLER

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