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

CLAUDE J. TOMPLAIT

VS.

COMBUSTION ENGINEERING, INC., ET AL

CIVIL ACTION NO. 5402

FILED

JUN 4 1968

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

By _____ DEPUTY

OBJECTION TO INTERROGATORY

Comes now Owens-Corning Fiberglas Corporation, one of the defendants in the above styled and numbered civil action, and in response to the single interrogatory served by plaintiff upon its undersigned counsel on May 29th, 1968, respectfully objects thereto upon the following good and sufficient grounds:

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Said interrogatory seeks to have this defendant furnish the name of a person in its employ who has knowledge of all of the following matters:

(a) The business activities of this defendant;

(b) The materials manufactured by this defendant;

(c) The ingredients of each of said materials;

(d) General information as to sales made by this defendant of its materials;

(e) General information as to the use of the products manufactured by this defendant;

(f) Knowledge of any safety rules or suggestions as to the use of such materials or products.

In this connection, this defendant manufactures many products used for insulating purposes. Only one of such products contains asbestos fibers. No one person or even two or three of defendant's employees or representatives have knowledge of all of the matters inquired about in said interrogatory. This defendant has heretofore, in answer to Plaintiff's First Set of Interrogatories, listed

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all of the insulating products or materials manufactured by it. Consequently said interrogatory is too broad in its scope, places an impossible burden upon this defendant with which it can not reasonably comply, and said interrogatory is not restricted to any particular product or material of this defendant, nor is it restricted as to the time during which plaintiff seeks to obtain such information, and the Court should enter herein an order to the effect that this defendant need not answer said interrogatory.

In the alternative, this defendant says that should it be required to answer said interrogatory in any respect, the same should be limited to a specific time, to a specific product or products to be designated either by trade name or by ingredients thereof and should eliminate therefrom the requirements regarding this defendant's general business activities, general information as to sales and general information as to the use of any products not specifically designated by the plaintiff.

WHEREFORE, this defendant moves the Court to enter herein an order sustaining its objections to said interrogatory, or, in the alternative, that an appropriate protective order be entered herein restricting the scope and applicability of such interrogatory as set forth above.

Respectfully submitted,

KING, SHARPSTEIN & RIENSTRA

BY: John M. Rienstra

107 Beaumont Savings Building
Beaumont, Texas
Attorneys for Owens-Corning
Fiberglas Corporation

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NOTICE TO ALL ATTORNEYS OF RECORD:

Please take notice that the above and foregoing Objections and Motion of the Defendant, Owens-Corning Fiberglas Corporation, will be brought to the attention of the Court for hearing on the same date that the Court hears and determines Plaintiff's Motion for Discovery.

John N. Rimmer
Attorney for Owens-Corning Fiberglas Corporation

CERTIFICATE OF SERVICE

A true copy of the foregoing Objections and Motion of the Defendant, Owens-Corning Fiberglas Corporation, was on this the 4th day of June, 1967, served upon counsel for each of the other parties herein by depositing the same in the United States Mail, postage prepaid, addressed to Mr. Ben L. Reynolds, Royston, Rayzor & Cook, 877 San Jacinto Building, Houston, Texas, 77002; Mr. Ward Stephenson, Stephenson Building, Orange, Texas; Mr. John G. Tucker, Beaumont Savings Building, Beaumont, Texas, 77701; Mr. George A. Weller, P. O. Box 350, Beaumont, Texas, 77704; Mr. Charles S. Pipkin, P. O. Box 1632, Beaumont, Texas, 77704; Mr. George Duncan, Beaumont Savings Building, Beaumont, Texas, 77701, and Mr. Gordon R. Pate, Beaumont Savings Building, Beaumont, Texas, 77701.

John N. Rimmer
Attorney for Owens-Corning Fiberglas Corporation

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