IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
JUN 7 1968
James R. Cooney, Clerk, U. S. Court
By Virginia Kehoe DEPUTY

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

OBJECTION TO INTERROGATORY

COMES NOW Johns-Manville Fiber Glass, Inc., one of the defendants in the above entitled 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:

1.

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, as shown by its answers to plaintiff's first set of interrogatories. None of such products contain asbestos fibers. No one person or even two or three of defendant's employees or representatives have knowledge

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of all of the matters inquired about in said interrogatory. Consequently, said Interrogatory is too broad in its scope, places an impossible burden upon this defendant with which it cannot 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.

2.

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,

GORDON R. PATE
1119 Beaumont Savings Building
Beaumont, Texas 77701
Attorney for Johns-Manville
Fiber Glass, Inc.

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NOTICE TO ALL ATTORNEYS OF RECORD:

Please take notice that the above and foregoing Objections and Motion of the Defendant, Johns-Manville Fiber Glass, Inc., 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.

Attorney for Johns-Manville
Fiber Glass, Inc.

CERTIFICATE OF SERVICE

A true copy of the foregoing Objections and Motion of the Defendant, Johns-Manville Fiber Glass, Inc., was on this the 7th day of June, 1968, served upon counsel for each of the other parties herein by depositing the same in the United States Mail, 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 C. 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. John Rienstra, Beaumont Savings Building, Beaumont, Texas 77701.

Attorney for Johns-Manville
Fiber Glass, Inc.

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CIVIL ACTION NO. 5402

CLAUDE J. TOMPLAIT

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EASTERN DIVISION

GORDON R. PATE
ATTORNEY AT LAW
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BEAUMONT, TEXAS 77701

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