IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

FILED
JAN 8 1969
M.
James H. Cousar, Clerk, U. S. Court
By Virginia R. Lowe
DEPUTY

CLAUDE J. TOMPLAIT :

VS. : CIVIL NO. 5402

COMBUSTION ENGINEERING, INC., ET AL :

MOTION TO INCLUDE UNARCO INDUSTRIES, INC. AS DEFENDANT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Claude J. Tomplait, plaintiff, by and through his attorney and in support of his motion would show unto the Court:

1.

That Defendant Pittsburgh Corning Corporation has been and is one of the defendants in this cause of action; that said defendant, through third-party complaint has brought into this cause UNARCO INDUSTRIES, INC.; that Unarco Industries, Inc. has filed an answer to the third-party complaint and an answer to the plaintiff's amended complaint, but so that there will be no question or doubt that the plaintiff now and in the future wishes to include as a direct defendant of the plaintiff Unarco Industries, Inc., plaintiff moves the Court for an order authorizing by supplement or addendum to the plaintiff's third amended complaint a provision making Unarco Industries, Inc. a party defendant on the same status and for the same grounds as is set out in the complaint against the other parties defendant.

Respectfully submitted,

STEPHENSON, THOMPSON AND MORRIS

By Ward Stephenson
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Orange, Texas 77630

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CERTIFICATE OF SERVICE BY MAIL

I, Ward Stephenson, hereby certify that a copy of the foregoing Motion has on this the 7th day of January, 1969, been mailed by certified mail, return receipt requested, to the following named attorneys for the following named defendants:

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Attorney for Defendant EAGLE-PICHER INDUSTRIES, INC.

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Attorney for Defendant OWENS-CORNING FIBER GLASS CORPORATION

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