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 and deposition of JOHN F. HUNTER, JR., a witness for the defendant to the accompanying direct interrogatories propounded to him in the above styled and numbered cause, taken before Barbara Kurtz, a notary public in and for Harris County, Texas, at 7015 Gulf Freeway, in the City of Houston, County of Harris, State of Texas, on the 3rd day of April, 1969, pursuant to the accompanying notice.

JOHN F. HUNTER, JR.,

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:

INTERROGATORIES

1. What is your name?

A. John F. Hunter, Jr.

2. Where do you live?

A. 7718 Cayton, Houston, Texas, 77017.

3. By whom are you employed or with what company are you associated?

A. Owner of John F. Hunter & Associates.

4. If you have stated that you are employed or associated with John F. Hunter & Associates, then please state whether your company is the custodian and administrator of the Welfare Fund of Local 22 of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO.

A. Yes.

5. If you have answered the foregoing interrogatory "yes," then state how long you have been the custodian and administrator of such Welfare Fund.

A. Since January 1, 1968.

6. Do you have possession of the records of the Welfare Fund which will show the name of the employer, the period of such employment, and the amount of the contribution by such employer for Claude J. Tomplait, Social Security No. [redacted]6, a member of International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union, who resides in Orange, Texas.

A. I do from July of 1967 on.

7. If you have custody of such Welfare Fund records, then please state if these records are kept in the due course of your business in the administration of such Welfare Fund of Local 22 of the Internationa

Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union.

A. Yes.

8. Do any records in your possession show the name of the employer and the dates of employment of a member of Local 22 of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO?

A. Yes.

9. What period of time do such records cover?

A. They cover from July 2, 1967 to January 28, 1968.

10. Do you know who has custody of the Welfare Fund records which will show the employers-contractors and the period a particular Union member worked, which will cover the period 1957 through 1968?

A. No.

11. For what period of time do the Welfare Fund records of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union in your possession cover?

A. July 2, 1967 to current.

12. State who has the possession and control of the Pension and Welfare Fund records beginning with the year 1957, or the year such Welfare Fund began, up to the present time.

A. I don't know.

13. If you state that you have any records of the Pension and Welfare Fund, or Welfare Fund, of Local 22 of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO, then please produce such records and give the name of each contractor-employer and the period of times that Claude J. Tomplait, Social Security No. [redacted] of Orange, Texas, worked for each such contractor-employer during the period beginning with the year 1957 through the year 1968.

A. (Witness produces records.)

14. If you have stated that you do not have possession of any Welfare Fund records which will show the period worked by Claude J. Tomplait for each employer, then please state who does have possession of such Welfare Fund records.

A. I have some and I don't know who has the others.

15. Are the original records in such form that they could be reproduced by copying?

A. Yes.

16. Is there a separate account in the Welfare Fund kept showing the contributions made for the benefit of each member of the Union?

A. Yes. Record of hours only - no record of contributions

17. If you have a separate account or separate sheet showing the contributions made for the benefit of Claude J. Tomplait by various employers, then please have the original account identified as an exhibit and attach a photocopy of this exhibit. If you state that it is not practical to photocopy the various records showing the contributions by contractors for the account of Claude J. Tomplait and the times worked and the names of the employers, and that a separate account if not kept showing the contributions for the benefit of Claude J. Tomplait, then please read into the record a summary of the various entries made showing the name of the employer, the period worked for such employer, and the contributions to the Claude J. Tomplait.

A. (Witness produces copy)

19. Please state the basis for the employer contributions to the Pension Fund or Welfare Fund for the benefit of each employee.

A. Under negotiated contract requiring employer to make periodic payment ~~to~~ employees.

in behalf of

JHH

John E. Hunter Jr.

STATE OF TEXAS |
|
COUNTY OF HARRIS |

I, Barbara Kurtz, a notary public in and for Harris County, Texas, do hereby certify that the statements contained in the caption hereto are true; that the foregoing answers of the witness JOHN F. HUNTER, JR. were, by the said witness made before me and were sworn to and subscribed by him before me.

Given under my hand and official seal on this the 11th day of April, 1969.

Barbara Kurtz

BARBARA KURTZ,
NOTARY PUBLIC,
HARRIS COUNTY, TEXAS.