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 RICHARD J. LAMPTON, 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, 6001 Gulf Freeway, in the City of Houston, County of Harris, State of Texas, on the 10th day of April, 1969, pursuant to the accompanying notice.

RICHARD J. LAMPTON

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. Richard J. Lampton.

2. Where do you live?

A. 6643 Hirondel Street, Houston, Texas, 77017.

3. Are you Financial Secretary of Local 22 of the

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International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union During the year 1967, and prior thereto?

A. Yes.

4. Were you Financial Secretary of Local No. 22 of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union during the year 1967, and prior thereto.

A. No.

5. If you have answered the foregoing interrogatory "yes," then state the period that you were such Financial Secretary of Local 22.

A. Not applicable.

6. As Financial Secretary of Local 22 of such Union, did you have custody and possession of the Pension Fund of Welfare Fund records of the International Association of Heat and Frost Insulators and Asbestos Workers of America, AFL-CIO Union?

A. Not applicable.

7. If you had possession of such records, please state where such records can be found and in whose present care and custody the records are kept.

A. Not applicable.

8. Do you have a record showing the date of each employment by each member of the Union which includes the name of the employer?

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A. Our records show total hours worked over a given period.

9. State when the insulation contractor-employers first started contributing to the Pension and Welfare Fund, or Welfare Fund.

A. Contributions to the Welfare Fund began in 1952. Contributions to the Pension Fund began in 1958.

10. 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. Numerous records of Local 22 are stored in another building in this same Office Center. Whether the complete records of the Pension and Welfare back to 1957 are with these records is unknown by me.

We do have in this office Pension records from 1958 thru 1967 that shows the total hours worked each year for each employee. It does not show the contractor, employer worked for.

11. 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,

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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. Pension records on Claude J. Tomplait for the period he worked under the jurisdiction of Local 22 are attached.

12. 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. Unknown.

13. Are these Welfare Fund records kept in the due course of business of the Union?

A. No.

14. Please state under whose care,custody and control the records are held.

A. The administrator of said funds.

15. Are the entries made in these records made on a regular basis in the due course of the administration of the Welfare Fund?

A. Yes.

16. If your Union does not have the Pension Fund or Welfare Fund records which would cover Claude J.

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Tomplait, who resides in Orange, Texas, then please state where such Pension Fund or Welfare Fund records would be kept, whether by the International Union or some other local Union.

A. Local 112, Lake Charles, Louisiana.

17. Are the original records in such form that they could be reproduced by coping?

A. Unknown.

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

A. No.

19. 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 name of the employers, and that a separate account is 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

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employer, and the contributions to Claude J. Tomplait.

A. Not applicable.

Richard J Lampton

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 RICHARD J. LAMPTON 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.

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