FILED

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

MAY 1 - 1969 19__
James R. Cooney, Clerk, U. S. Court
By Virginia R. Sessa DEPUTY

CLAUDE J.TOMPLAIT :

VS. : CIVIL ACTION NO. 5402

COMBUSTION ENGINEERING, INC., ET AL :

MOTION TO LIMIT AND REQUEST OF PLAINTIFF

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW CLAUDE J. TOMPLAIT, plaintiff in the above entitled and numbered civil action, and makes this his motion to the Court as follows:

1.

Plaintiff says that this Court should limit any effort on the part of defendant Fibreboard Paper Products Company to lay the blame or fault on the Asbestos Union, because said union is not a party to this lawsuit and no pleadings to support any such blame or fault have been filed, and any such reference would be improper and prejudicial.

2.

Plaintiff says that this Court should limit any reference to any Workmen's Compensation case filed by the plaintiff, because any such reference would be improper and prejudicial.

3.

Plaintiff says that this Court should limit any reference to Social Security benefits that plaintiff has received or will receive in the future, because any such reference would be improper and prejudicial.


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4.

Plaintiff says that this Court should limit any reference to a report of Dr. Leary, because the same would be hearsay, prejudicial, improper and not subject to cross-examination.

5.

Further, plaintiff requests that this Court change the style of this case, or that the parties be instructed to refer to the case as "Claude J. Tomplait vs. Fibreboard Paper Products Company."

6.

Plaintiff requests that any place in depositions or otherwise, plaintiff be allowed, and defendant be instructed to refer only to the defendant Fibreboard Paper Products Company as the defendant in this case, and in this regard, in reading depositions, plaintiff requests that he be allowed to omit reference to other defendants and only refer to defendant Fibreboard Paper Products Company.

7.

Plaintiff requests that his attorney's secretary be allowed to sit at counsel table during the trial to assist in the handling of papers and exhibits, because plaintiff's attorney will have no other trial assistant.

WHEREFORE, plaintiff prays that this Court grant this motion to limit and plaintiff's requests as above set forth.

Respectfully submitted,

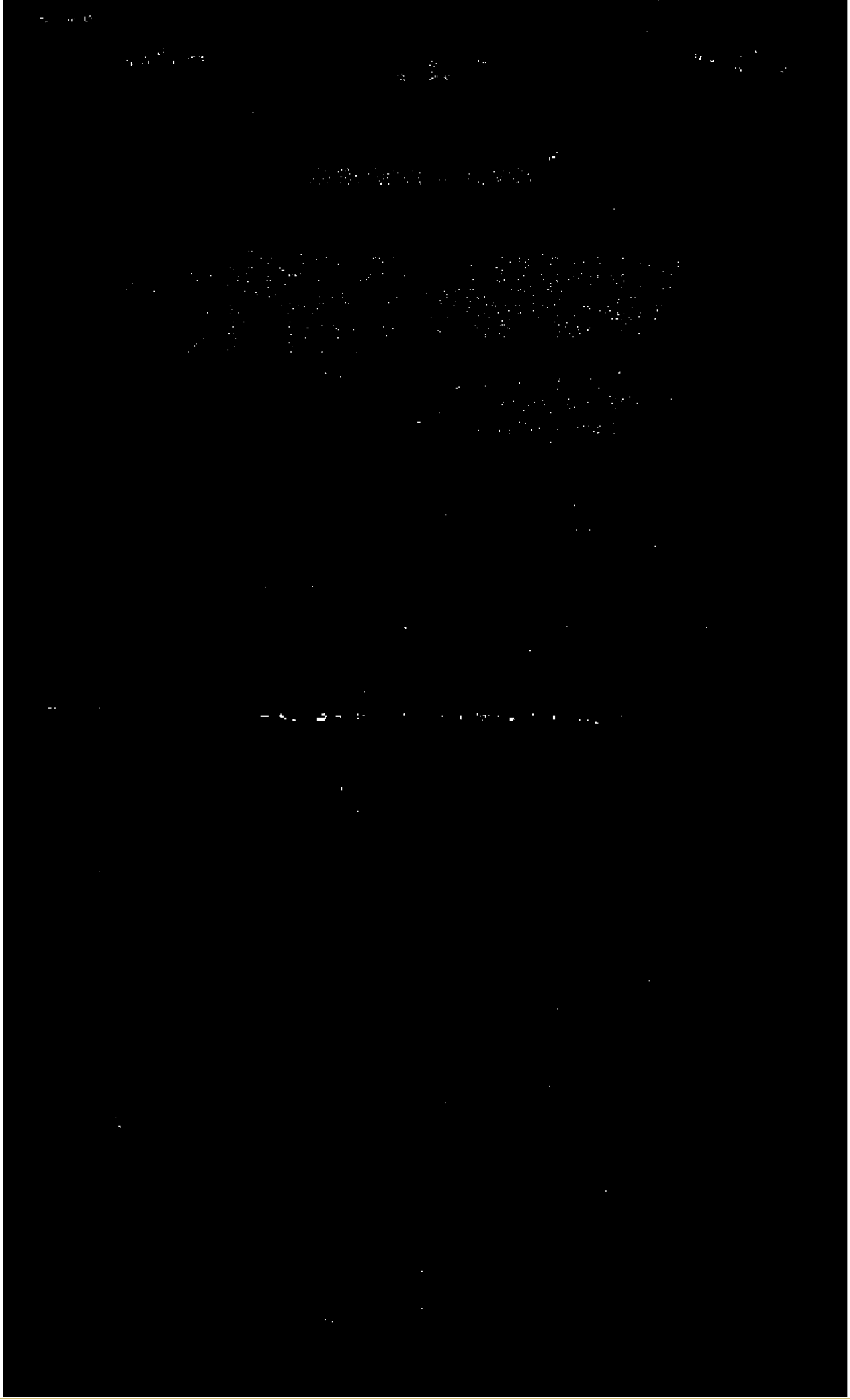
STEPHENSON, THOMPSON AND MORRIS

By _____

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*The Tomplait v. Combustion Engineering Case File (1962-1969), Motion in limine (Social Security benefits)* Published by AsbestosClaims.Law
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