M. L. COOK
C. A. BROWN
E. D. VICKERY
MAYO J. THOMPSON
CARL O. BUE, JR.
GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHAROT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW
877 SAN JACINTO BUILDING
HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
208 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

December 11, 1968

Honorable James R. Cooney,
Clerk Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77701

DEC 12 1968

Claude J. Tomplait vs. Combustion Engineering, Inc., Et Al - Civil Action No. 5402 - Our File 17,233

Dear Sir:

* We enclose Supplemental Answer to Interrogatory. We would appreciate your filing in the papers of this cause. By carbon copy ** we are supplying a copy of the Answer to Interrogatory to opposing counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston, Rayzor & Cook

BLR:blm
*Enclosure

cc: Mr. Ward Stephenson
Stephenson Building
Orange, Texas
** (W/Enclosure)

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STRONG, PIPKIN, NELSON & PARKER
ATTORNEYS AT LAW
10TH FLOOR, SAN JACINTO BUILDING – P. O. BOX 1632
BEAUMONT, TEXAS 77704

November 27, 1968.

Mr. Ward Stephenson, Attorney,
Stephenson, Thompson & Morris,
Stephenson Building,
Orange, Texas.

Re: Civil Action No. 5402 - U. S. District Court, Beaumont:
Claude J. Tomplait vs. Combustion Engineering, Inc., et al.

Dear Mr. Stephenson:

I hand you herewith true and correct copy of the Motion of the Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation, for leave to file and serve an amended answer to the Third Amended Complaint in the above cause, together with true and correct copy of the proposed amended answer.

The only change from my present answer is the addition of Paragraph 27-A, which has also been pleaded by the other defendants.

Yours very truly,

CSP/lb
Encl.
CC - Mr. Duncan
Mr. Reynolds
Mr. Rienstra
Mr. Weller
Mr. Pate
Mr. Coley

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

November 26, 1968

NOV 27 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing notice to take the written interrogatories of Arthur J. Santry, Jr., President, Combustion Engineering, Inc., together with attached written interrogatories.

Please file this instrument among the papers in this cause.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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P. O. Box 231
Beaumont, Texas 77704
November 22, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Mr. Ben L. Reynolds
Royston, Rayzor & Cook
877 San Jacinto Bldg.
Houston, Texas 77002

Re: Civil 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., Et Al

Gentlemen:

You are advised that Order Granting Plaintiff's Motion to Require Defendant Eagle-Picher Industries, Inc. to Answer Written Interrogatory No. 4 within ten days from date of the Order was signed by Judge Fisher as of this date. A copy of the Order is enclosed.

Very truly yours,

JAMES R. COONEY, CLERK

By Hazel E. Studdard
(Mrs.) Hazel E. Studdard
Deputy Clerk

Enclosures
cc: George E. Duncan
George A. Weller
Robert Q. Keith
John G. Tucker
John D. Rienstra
Gordon R. Pate
Charles S. Pipkin

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EDTC-A-9

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

November 6, 1968

Claude J. Tomplait

VS.

CIVIL NO. 5402

Combustion Engineering, Inc., et al

The following motion was filed on November 4, 1968:

Motion to Require Defendant Eagle-Picher Industries, Inc. to Answer Written Interrogatory

There was (was not) evidence received of the necessary service of motion on the adverse parties. No motion will be presented to the Judge until indication of service is received by the Clerk and the proper time has elapsed as governed by the Rules of this Court. Indication of service is usually given by a statement at the bottom of the motion, below the signature, showing the date a copy of the motion was mailed to adverse party. This statement should be signed.

All motions are to be answered within ten (10) days unless otherwise allowed by the Court or some Applicable Rule of the Federal Rules of Civil Procedure. All Motions will be held until Pre-Trial Hearing during the next Session of Court unless an earlier date of hearing (oral or on the pleadings) is requested by the attorneys.

THE LOCAL RULE is to consider motions on the pleadings, without oral hearing, unless on showing good cause an oral hearing is granted. Request for oral hearing, if any, should be made when the motion, or the reply, is filed. If oral hearing is granted, the Judge will set a date for same and the interested attorneys will be notified.

THE JUDGE desires that memorandum briefs containing authorities relied on as to matters raised in the motion be filed by the respective parties before the motion is submitted.

Please note also that it is Judge Fisher's rule that all documents, including forms of orders and judgments, be sent to the Clerk's Office and not direct to the Judge.

IF YOU DO NOT DESIRE TO OPPOSE THE ABOVE MOTION, PLEASE INFORM THE CLERK BY LETTER.

cc: Ward Stephenson
Orange, Texas

Ben Reynolds
Royston, Rayzor & Cook
Houston, Texas

JAMES R. COONEY, CLERK

By:
Deputy
(Mrs.) Hazel E. Studdard

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

November 1, 1968

NOV 4 - 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing a motion to the Court to require the defendant Eagle-Picher Industries, Inc. to answer a certain interrogatory propounded to the defendant by the plaintiff herein. We will appreciate it if you will submit this motion to Judge Fisher for his consideration. Also enclosed is a proposed order of the court which grants the plaintiff's motion, in the event that Judge Fisher desires to grant our motion.

Copies of the enclosed motion and proposed order are being mailed to the attorneys for the defendant Eagle-Picher Industries, Inc.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

WS:jb
Encl.
cc:
Royston, Rayzor and Cook
Attorneys at Law
877 San Jacinto Building
Houston, Texas (W/Encl.)
CERTIFIED MAIL, RETURN
RECEIPT REQUESTED

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

October 29, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

OCT 30 1968

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the original and one copy of the following interrogatories to be filed in this case:

(1) F. H. Edwards, Owens-Corning Fiberglas Corp.

(2) Harry P. Hoopes, Fibreboard Paper Products Corp.

(3) Dr. Lee B. Grant, Pittsburgh Corning Corporation.

(4) Dr. E. F. Murphy, Combustion Engineering, Inc. and R & I Refractory & Insulation Corporation.

(5) M. C. Parmley, Johns-Manville Products Corp.

(6) Herman L. Huelster, Eagle-Picher Industries, Inc.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

October 18, 1968.

OCT 21 1968

James R. Cooney, Clerk,
U. S. District Court,
Federal Building,
Beaumont, Texas.

RE: Civil Action No. 5402
Claude J. Tomplait vs.
Combustion Engineering,
Inc., et al

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing in the above matter is:

1. Answer of Defendant Owens-Corning Fiberglas Corporation to Second Set of Interrogatories, consisting of Interrogatory No. 1 propounded to defendants.

2. Answer of Defendant Owens-Corning Fiberglas Corporation to Plaintiff's Motion for Discovery.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ward Stephenson,
Attorney at Law,
Stephenson Building,
Orange, Texas.

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

September 19, 1968

SEP 20 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

Enclosed are plaintiff's answers to request for admissions. Please file this instrument among the papers in this cause.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.
cc:
Weller, Wheelus and Green
Attorneys at Law
P. O. Box 350
Beaumont, Texas 77704
(W/Encl.)

VINSON, ELKINS, WEEMS & SEARLS
ATTORNEYS AT LAW
FIRST CITY NATIONAL BANK BUILDING
HOUSTON, TEXAS 77002

TELEPHONE: CAPITOL 5-2411
CABLE ADDRESS: VEWS

SEP 16 1968

September 13, 1968

Re: C. A. No. 5402, Claude J. Tomplait v. Combustion Engineering, Inc., et al; in the United States District Court for the Eastern District of Texas, Beaumont Division

Mr. James R. Cooney,
U. S. District Clerk
Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77704

Dear Sir:

We enclose in duplicate Answer to Third Party Complaint which we will appreciate your filing among the papers in this cause. Will you please place your file mark on the copy of this letter showing date of filing and return to us for our records? Enclosed is a stamped, self-addressed envelope for your use in this connection.

We are today furnishing interested counsel with a copy of our Answer.

Would you please advise us of any present setting in this case for trial or other hearing in the case?

Thank you for your usual courtesy and cooperation in these matters.

Very truly yours,

VINSON, ELKINS, WEEMS & SEARLS

By Gerald P. Coley
Gerald P. Coley

196/254A

Encl.

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asbestosclaims.law/library/10858/10

CC:

Mr. George E. Duncan
Wells, Duncan & Beard,
Attorneys at Law
515 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ben L. Reynolds
Royston, Rayzor & Cook
877 San Jacinto Building
Houston, Texas 77002

Mr. John D. Rienstra
707 Beaumont Savings Bldg.
Beaumont, Texas 77701'

Mr. John D. Tucker,
Orgain, Bell & Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77001

Mr. George A. Weller
P. O. Box 350
Beaumont, Texas 77701

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Gordon R. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas

Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630

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P. O. Box 231
Beaumont, Texas 77704
September 13, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - C.A. #5402

Dear Sir:

You are advised the Order on Plaintiff's Motion For Discovery, was signed by Judge Fisher, filed and entered in the above cause as of August 29, 1968.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77002

Mr. John D. Rienstra
707 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. George E. Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Geo. A. Weller
P. O. Box 350
Beaumont, Texas 77704

noted on docket
D.S.

September 11, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas

Mr. Gordon R. Pate
Beaumont Savings Bldg.
Beaumont, Texas

Mr. George Duncan
Beaumont Savings Bldg.
Beaumont, Texas

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas

Mr. George Weller
Goodhue Building
Beaumont, Texas

Mr. John D. Rienstra
Beaumont Savings Bldg.
Beaumont, Texas

Re: Civil No. 5402 Claude J. Tomplait vs
Combustion Engineering, Inc., Et al

Gentlemen:

Judge Fisher asked me to advise you that the above captioned cause has been continued for the term; however, it will be given a preferential setting in the January term, 1969.

Sincerely yours,

(Miss) Bertha J. Ogilvy
Secretary to Judge Fisher

cc: U.S.District Clerk
U.S.Courthouse
Beaumont, Texas

September 3, 1968

SEP 5 - 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Mr. Ward Stephenson
Attorney At Law
Stephenson Building
Orange, Texas

Dear Ward:

I am enclosing the current sales literature which you requested in your Motion for Discovery, and which I agreed to furnish you at our meeting of August 9, 1968.

Yours very truly,

GORDON R. PATE

GORDON R. PATE

GRP/je

Enclosures

cc: Ms. Virginia R. Sens, Deputy Clerk
U. S. District Court for the Eastern District of Texas
Federal Courthouse
Post Office Box 231
Beaumont, Texas

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KEMPER W. STEPHENSON, 1956
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of STEPHENSON, THOMPSON AND MORRIS

STEPHENSON BUILDING / ORANGE, TEXAS 77630

September 2, 1968

SEP 4 - 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait
vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's answers to written interrogatories propounded by defendant Fiberboard Paper Products Corporation, and it will be appreciated if you will file this instrument among the papers in this cause.

A copy of these answers is being mailed to Mr. George Weller, attorney for Fiberboard Paper Products Corporation on this date.

Yours truly,

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

cc:
Mr. George Weller
Attorney at Law
P. O. Box 350
Beaumont, Texas 77701
(W/Encl.)

LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

July 16, 1968

Honorable James R. Cooney
Clerk
United States District Court
Eastern District of Texas
P.O. Box 231
Beaumont, Texas 77704

Re: Civil Action No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al

Dear Sir:

We enclose herewith duplicate originals of Pittsburgh Corning's Designation of Doctors Who Might Testify Pursuant to Court Order Dated June 14, 1968. Copies of the above instrument have been mailed to all attorneys of record in this case.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:MB
Encl.

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

July 15, 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Mrs. Rosalie Trahan, Deputy Clerk
United States District Court
Federal Building
Post Office Box 231
Beaumont, Texas 77704

Dear Mrs. Trahan:

Enclosed please find original and two copies of the Order granting the Motion for Summary Judgment on behalf of Johns-Manville Fiber Glass, Inc., in accordance with Judge Fisher's ruling at the hearing on Friday, July 12, 1968.

By copy of this letter, I am furnishing the attorneys for all the other parties a copy of this Order.

I would appreciate your furnishing me with a Certified copy of this Order after it has been entered.

Mail: 7-17-68

Yours very truly,

GORDON R. PATE

GRP/je

Enclosures

cc: Mr. Ben Reynolds
Mr. John Rienstra
Mr. George Weller
Mr. Charles Pipkin
Mr. George Duncan
Mr. John Tucker
Mr. Ward Stephenson

WILL E. ORGAIN (1882-1965)
MAJOR T. BELL
JOHN G. TUCKER
BENJ. D. ORGAIN
CLEVE BACHMAN
STANLEY PLETTMAN
HOWELL COBB
JAMES W. HAMBRIGHT
DAVID J. KREAGER
BENNY H. HUGHES, JR.
GILBERT I. LOW
GEORGE H. KOLB
J. HOKE PEACOCK II
LAWRENCE LOUIS GERMER

ORGAIN, BELL & TUCKER
ATTORNEYS AT LAW
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

TELEPHONE TE 8-6412

July 15, 1968

JUL 17 1968

Re: Civil Action 5402, U. S. District Court,
Eastern District of Texas, Beaumont Division
Claude J. Tomplait v. Combustion Engineering,
Inc., et al

Mr. James R. Cooney, Clerk
United States District Court
Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77704

Dear Mr. Cooney:

Pursuant to Judge Fisher's ruling made on July 12, sustaining motion for summary judgment of Gustin-Bacon Manufacturing Company, * I have prepared order, the original and copy of which I enclose.

I am sending copy of this letter and copy of the order to all other attorneys in the case.

Trusting that you will submit the order to Judge Fisher in due course, I am

Very truly yours,

ORGAIN, BELL & TUCKER

John G. Tucker

JGT:DFG
* encl.
cc-Mr. Ward Stephenson
Stephenson Building
Orange, Texas
cc-Mr. Ben L. Reynolds
Royston, Rayzor & Cook
877 San Jacinto Building
Houston, Texas 77002

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cc-Mr. John Rienstra
Beaumont Savings Building
Beaumont, Texas 77701
cc-Mr. George A. Weller
Box 350
Beaumont, Texas 77704
cc-Mr. Charles S. Pipkin
Box 1632
Beaumont, Texas 77704
cc-Mr. George Duncan
Beaumont Savings Building
Beaumont, Texas 77701
cc-Mr. Gordon Pate
Beaumont Savings Building
Beaumont, Texas 77701
cc-Mr. James W. Mehaffy
San Jacinto Building
Beaumont, Texas 77701
cc-Mr. George Murphy
San Jacinto Building
Beaumont, Texas 77701

KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

July 10, 1968.

JUL 11 1968

James R. Cooney, Clerk,
United States District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil Action No. 5402
Claude J. Tomplait vs.
Combustion Engineering,
Inc., et al

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing in the above matter is Amended Answer of the defendant, Owens-Corning Fiberglas Corporation to Plaintiff's Third Amended Complaint.

A true copy is being mailed this day to all other interested counsel.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ben L. Reynolds
Mr. Ward Stephenson
Mr. John G. Tucker
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. George A. Weller

M. L. COOK
C. A. BROWN
E. D. VICKERY
MAYO J. THOMPSON
CARL O. BUE, JR.
GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

July 8, 1968

The United States District Clerk
For the Eastern District of Texas
Federal Courthouse
P. O. Box 231
Beaumont, Texas 77701

C. A. No. 5402 -
Claude J. Tomplait v.
Combustion Engineering, Inc. -
Our File 17,233

Dear Sir:

* We enclose Eagle-Picher Industries, Inc.'s Designation of Doctors Who Might Testify Pursuant to Court Order Dated June 14, 1968, which we would appreciate your filing in the above captioned and numbered cause.

We would appreciate your advising us of the date of filing of the above instrument on a copy of this letter which you may return in
* the self-addressed envelope we have enclosed for your convenience.

** By carbon copy of this letter, we are supplying all counsel of record with a copy of the above instrument.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston Rayzor Cook

BLR/pmh
*Enclosures

(Over)

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cc: Mr. John D. Rienstra
Attorney at Law
707 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. John Tucker
Attorney at Law
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. George A. Weller
Attorney at Law
P. O. Box 350
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Charles S. Pipkin
Attorney at Law
P. O. Box 1632
Beaumont, Texas 77704
**(W/Enclosure)

cc: Mr. George E. Duncan
Attorney at Law
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Gordon R. Pate
Attorney at Law
1119 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630
**(W/Enclosure)

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P. O. Box 231
Beaumont, Texas
July 8, 1968

Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs.
Combustion Engineering, Inc.,et al
Civil No. 5402

Dear Sir:

You are advised that the ORDER granting Plaintiff leave to file Third Amended Complaint in the above cause, was signed by Judge Fisher, filed and entered as of July 8, 1968. Plaintiff's Third Amended Complaint was also filed and entered as of July 8, 1968.

Yours very truly,

JAMES R. COONEY, CLERK

By _____
Mildred C. Verret
Deputy Clerk

cc: Mr. George E. Duncan
Mr. Charles S. Pipkin
Mr. John B. Rienstra
Mr. John G. Tucker
Mr. George A. Weller
Mr. Ben L. Reynolds
Mr. Gordon R. Pate
Mr. James W. Mehaffy
Mr. George E. Murphy

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

JUL 1 - 1968

June 28, 1968

James R. Cooney, Clerk
United States District Court
P. O. Box 231
Beaumont, Texas

ATTENTION: Mrs. Trahan,
Deputy Clerk

Re: Civil No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al

Dear Mrs. Trahan:

Attached we hand you for filing an Answer of Fibreboard Paper Products Company to Order of the Court of June 14, 1968. Copies have been mailed to all counsel of record in accordance with certificate attached.

Very truly yours,

Geo. A. Weller

GAW/ca

Enclosure

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LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

June 26, 1968

JUN 27 1968

Honorable James R. Cooney
Clerk
United States District Court
Eastern District of Texas
P.O. Box 231
Beaumont, Texas 77704

Re: C. A. No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Sir:

Enclosed herewith are duplicates of Answers of Pittsburgh Corning Corporation to the Third Set of Interrogatories Propounded by the Plaintiff, in the above-styled and numbered cause.

Copies of this instrument have been mailed to all attorneys of record as shown by the Certificate of Service attached thereto.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:MB
Encl.

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P. O. Box 211
Beaumont, Texas
June 20, 1968

Mr. George A. Weller
Weller, Wheelus & Green
P. O. Box 350
Beaumont, Texas 77704

Re: Claude J. Tomplait, vs.
Combustion Engineering, Inc., et al
Civil No. 5402

Dear Sir:

You are advised that the Order granting Defendant, Fibreboard Paper Products Corporation, an extension of time until July 1, 1968, within which to file reply to motion of plaintiff in reply to motions for summary judgment, etc., was signed by Judge Fisher, filed and entered in the above cause as of June 20, 1968.

Yours very truly,

JAMES R. COONEY, CLERK

By _____
Mildred C. Verret
Deputy Clerk

cc: Mr. Ward Stephenson
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John C. Tucker
Mr. John D. Riemstra
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. James W. Mahaffy
Mr. Robert Q. Keith

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

June 18, 1968

Mr. James R. Cooney, Clerk
United States District Court
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil Action No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached I hand you for filing motion for extension of time to reply to certain motions filed by the plaintiff. I would appreciate it if you would present this to Judge Fisher at the earliest possible time. This is not an emergency, as I feel Judge Fisher will grant the extension requested.

Very truly yours,

Geo. A. Weller

Geo. A. Weller

GAW/os
Encl.

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Dreg. to Hold

WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

June 18, 1968

Mr. James R. Cooney, Clerk
United States District Court
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil Action No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached I hand you for filing motion for extension of time to reply to certain motions filed by the plaintiff. I would appreciate it if you would present this to Judge Fisher at the earliest possible time. This is not an emergency, as I feel Judge Fisher will grant the extension requested.

Very truly yours,

Geo. A. Weller

Geo. A. Weller

GAW/os
Encl.

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notes on all Docket

June 17, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77002

Mr. John D. Rienstra
707 Beaumont Saving s Bldg.
Beaumont, Texas 77701

Mr. John Tucker
Beaumont Savings Building
Beaumont, Texas 77701

Mr. George A. Weller
P. O. Box 350
Beaumont, Texas

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. George Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Gordon R. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Civil No. 5402 Claude J. Tomplait vs
Combustion Enginneering, Inc., Et al

Gentlemen:

Judge Fisher asked me to advise you that a hearing on all pending motions in the above cap-

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Civil No. 5402
June 17, 1968

tioned cause has been set for Friday, July 12, 1968, at 10:00 A.M.

Sincerely yours,

(Miss) Bertha J. Ogilvy
Secretary to Judge Fisher

cc: U.S.District Clerk
U.S.Courthouse
Beaumont, Texas

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6-14-68

All pending motion
to be heard
at 10:00 a.m.
July 12, 1968.
Best to notify,
per Ned.

eyw

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P. O. Box 231
Beaumont, Texas 77704
June 17, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - Civ. #5462

Dear Sir:

The following Orders were signed by Judge Fisher, filed and entered in the above cause as of June 14, 1968:

Order that Plaintiff's Reply to Fiberboard Paper Products Corporation's Motion to Limit Plaintiff's Motion for Discovery also be taken as his reply to other Motions to Limit filed by other defendants herein.

Order that Plaintiff's Motion for Discovery will be heard and considered by the Court on July 12, 1968, at 10:00 a.m.

Order that each Defendant produce list of doctors within 15 days. (A certified copy of this order is attached)

Very truly yours,

JAMES R. COCKRT, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

enc.
cc: (W/enc.)
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Geo. A. Weller
Mr. Robt. Q. Keith
Mr. John O. Tucker
Mr. John D. Kiesutra
Mr. Charles S. Pipkin
Mr. Jas. W. Mahaffy
Mr. George E. Duncan

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May 17, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Civil No. 5402 Claude J. Tomplait
vs Combustion Engineering, Inc.

Dear Mr. Stephenson:

If the different attorneys have no objection you may include in your amended complaint an allegation of res ipsa loquitur.

I can personally see no objection to this interlineation, and from what little I know of the cause of action I am not convinced that the doctrine of res ipsa loquitur will be applicable or that a charge on the question will be submitted to the jury.

Sincerely yours,

Joe J. Fisher

cc: Mr. John Rienstra
Mr. Gordon Pate

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 11, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing notice of motion, and motion for leave to amend complaint. Please file this instrument among the papers in this cause, and then if you will, please present it to Judge Fisher for his consideration. A proposed order for the court is enclosed.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

WS:jb
Encl.
cc:
Mr. George A. Weller
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
(W/Encl.)

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Orig. & Red

KEMPER W. STEPHENSON, 1956
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of STEPHENSON, THOMPSON AND MORRIS

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 11, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing for filing in this case the plaintiff's answer to the motions for summary judgment filed herein by Gustin-Bacon Manufacturing Company, Pittsburgh Plate Glass Company and Johns-Manville Fiber Glass, Inc., together with our short motion. Please file these instruments and then present them to Judge Fisher for his consideration. A proposed form of order upon our motion is enclosed.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.
cc:
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate
(W/Encl.)

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 11, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing for filing in this case the plaintiff's application to the court for permission of the court for his reply to the motion to limit plaintiff's motion for discovery filed by Fiberboard Paper Products Corporation be taken as his reply to the other motions to limit filed by the other defendants herein. It will be appreciated if you will present this application to the Court, together with the enclosed proposed order of the Court.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.
cc:
Mr. George A. Weller
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
(W/Encl.)

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P. O. Box 231
Beaumont, Texas 77704
June 7, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - Civ. #5402

Dear Sir:

The following Orders were signed by Judge Fisher, filed and entered in the above cause as of June 6, 1968:

Order that a subpoena duces tecum be issued to Mrs. Bess Scofield, Administratrix of Orange Memorial Hospital, to produce X-rays of Claude J. Tomplait.

Order denying Defendants' Objections to seventh and eighth interrogatories propounded to Dr. Stanton P. Fischer by Plaintiff.

Order denying Plaintiff's Objections to Cross-Interrogatory No. 13 propounded to Dr. Stanton P. Fischer by Defendants.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Geo. A. Weller
Mr. Robt. Q. Keith
Mr. John G. Tucker
Mr. John D. Rienstra
Mr. Charles S. Pipkin
Mr. Jas. W. Mehaffy
Mr. George E. Duncan

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of STEPHENSON, THOMPSON AND MORRIS

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 6, 1968

JUN 7 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's reply to motion to limit plaintiff's motion for discovery filed by defendant Fiberboard Paper Products Corporation. Please file this instrument, and then present it to Judge Fisher for his consideration. A proposed order for the court is also enclosed.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.
cc:
Mr. George A. Weller
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
(W/Encl.)

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 5, 1968

Mr. James R. Cooney
Clerk, United States District Court
P. O. Box 231
Beaumont, Texas 77704

JUN 6 1968

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's objections to cross-interrogatories propounded by the defendants to Dr. Stanton P. Fischer. It will be appreciated if you will file these objections, and present them to Judge Fisher for his consideration.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.

cc:
Mr. George A. Weller
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
(W/Encl.)

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5649

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

June 4, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you the objections of the defendant, Fibreboard Paper Products Corporation, to interrogatory propounded to this defendant, and objections to the plaintiff's motion for discovery, which we request that you present to Judge Fisher.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ward Stephenson
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Charles S. Pipkin
Mr. John G. Tucker

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

June 4, 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al

JUN 7 1968

Mrs. Rosalie Trahan, Deputy Clerk
United States District Court
Federal Building
Post Office Box 231
Beaumont, Texas 77704

Dear Mrs. Trahan:

Enclosed please find Objections of Defendant, Johns-Manville Products Corporation to Motion for Discovery, and reply of Johns-Manville Fiber Glass, Inc., to plaintiff's Motion for Discovery.

Yours very truly,

Gordon R. Pate
GORDON R. PATE

GRP/je

Enclosures

cc: Mr. Ben L. Reynolds
Mr. John Rienstra
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. John Tucker
Mr. James W. Mehaffy
Mr. Ward Stephenson

WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

June 4, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you motion of defendants to issue a subpoena to the administratrix of the Orange Memorial Hospital to require production of X-rays, and proposed order. Please present this to Judge Fisher immediately in order that a subpoena duces tecum can be issued.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

MONTE D. LAWLIS
ASSOCIATE
March H. Coffield

PHONE DU 4-2501

JOE H. TONAHILL
LAWYER
TONAHILL BUILDING
JASPER, TEXAS 75951

May 30, 1968

IN RE:

Client	Date	Service Rendered	Amount
Re: Eugene Jones		Photostats: Tomplait v. Comb. Eng.	

IN RE:

Invoice No.:
Date of Invoice:
Type of Account:

Mr. James R. Cooney
U. S. District Clerk
Federal Building
Beaumont, Texas

Dear Sir:

Please find enclosed my check No. 21171, dated May 30, 1968, in the amount of $9.00 in payment of the above described invoice for the above described services and/or merchandise furnished by you.

Sincerely yours,

Joe H. Tonahill

JHT:vm
enc.

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

May 30, 1968

Mr. James R. Cooney, Clerk
United States District Court
Federal Building
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you for filing objections to the interrogatories to be propounded to Dr. Stanton P. Fischer by plaintiff, which objections should be presented to Judge Joe J. Fisher for ruling. In this motion, we have asked that the taking of the deposition be postponed until the Court has had an opportunity to rule on the objections.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Ward Stephenson
Mr. Charles S. Pipkin

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of STEPHENSON, THOMPSON AND MORRIS

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 29, 1968

MAY 31 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

In accordance with my conversation with your office on this date, I am enclosing an Order of the Court Setting Hearing on Plaintiff's Motion for Discovery.

If you will advise us of the date set for this hearing, it will be appreciated.

Yours truly,

Ward Stephenson

WS:jb
Encl.

KEITH, MEHAFFY & WEBER
ATTORNEYS AT LAW
SAN JACINTO BUILDING
BEAUMONT, TEXAS 77701

QUENTIN KEITH
JAS. W. MEHAFFY
O. J. WEBER, JR.
DEWEY J. GONBOULIN
ROB'T O. KEITH
JAS. W. MEHAFFY, JR.

713-833-2611

May 28, 1968

Re: Claude J. Tomplait v. Combustion Engineering, Inc., et al; Civil Action No. 5402

Miss Bertha Ogilvy
Secretary to Judge Fisher
Federal Building
Beaumont, Texas

6-4-68
Done V. S.

Dear Bert:

I would appreciate your putting me on the list of lawyers due correspondence in this case.

Very truly yours,

Rob't O. Keith

For the Firm

RQK:dh

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

June 11, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustinn Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing for filing in this case the plaintiff's answer to the motions for summary judgment filed herein by Gustin-Bacon Manufacturing Company, Pittsburgh Plate Glass Company and Johns-Manville Fiber Glass, Inc., together with our short motion. Please file these instruments and then present them to Judge Fisher for his consideration. A proposed form of order upon our motion is enclosed.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.
cc:
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate
(W/Encl.)

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 27, 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

Enclosed are notices with attached written interrogatories to be propounded to Dr. Stanton P. Fischer. Please file these instruments among the papers in this cause.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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

CLAUDE J. TOMPLAIT

VS.

COMBUSTION ENGINEERING, INC., et a

CIVIL NO. 5402

The following motion was filed on May 27, 1968: Motion for Summary Judgment on the Main Action and on the Cross-Actions of Gustin-Bacon Mfg. Co. Plaintiff's Motion for Discovery was filed on May 29, 1968.

There was ~~xxxxxxxxx~~ evidence received of the necessary service of motion on the adverse parties. No motion will be presented to the Judge until indication of service is received by the Clerk and the proper time has elapsed as governed by the Rules of this Court. Indication of service is usually given by a statement at the bottom of the motion, below the signature, showing the date a copy of the motion was mailed to adverse party. This statement should be signed.

All motions are to be answered within ten (10) days unless otherwise allowed by the Court or some applicable rule of the Federal Rules of Civil Procedure.

THE LOCAL RULE is to consider motions on the pleadings, without oral hearing, unless on showing good cause an oral hearing is granted. Request for oral hearing, if any, should be made when the motion, or the reply, is filed. If oral hearing is granted, the Judge will set a date for same and the interested attorneys will be notified.

THE JUDGE desires that memorandum briefs containing authorities relied on as to matters raised in the motion be filed by the respective parties before the motion is submitted.

Please note also that it is Judge Fisher's rule that all documents, including forms of orders and judgments, be sent to the Clerk's Office and not direct to the Judge.

IF YOU DO NOT DESIRE TO OPPOSE THE ABOVE MOTION, PLEASE INFORM THE CLERK BY LETTER.

JAMES R. COONEY, CLERK
By: Evelyn V. Walker
Deputy

To: All attorneys of record.

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

CLAUDE J. TOMPLAIT

VS.
COMBUSTION ENGINEERING, INC., ET AL

CIVIL NO. 5402

The following motion was filed on May 27, 1968

Motion to Quash Service of Subpoena served upon attorney for Fibreboard Paper Products Corporation.

There was (~~was not~~) evidence received of the necessary service of motion on the adverse parties. No motion will be presented to the Judge until indication of service is received by the Clerk and the proper time has elapsed as governed by the Rules of this Court. Indication of service is usually given by a statement at the bottom of the motion, below the signature, showing the date a copy of the motion was mailed to adverse party. This statement should be signed.

All motions are to be answered within ten (10) days unless otherwise allowed by the Court or some applicable rule of the Federal Rules of Civil Procedure.

THE LOCAL RULE is to consider motions on the pleadings, without oral hearing, unless on showing good cause an oral hearing is granted. Request for oral hearing, if any, should be made when the motion, or the reply, is filed. If oral hearing is granted, the Judge will set a date for same and the interested attorneys will be notified.

THE JUDGE desires that memorandum briefs containing authorities relied on as to matters raised in the motion be filed by the respective parties before the motion is submitted.

Please note also that it is Judge Fisher's rule that all documents, including forms of orders and judgments, be sent to the Clerk's Office and not direct to the Judge.

IF YOU DO NOT DESIRE TO OPPOSE THE ABOVE MOTION, PLEASE INFORM THE CLERK BY LETTER.

JAMES R. COONEY, CLERK

By:

Deputy

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P. O. Box 231
Beaumont, Texas 77704
May 29, 1968

Mr. Ward Stephenson
Attorney at Law
Stephenson Building
Orange, Texas 77630

Re: Civil #402 - Claude J. Tomplait
vs. Combustion Engineering,
Inc., et al

Dear Mr. Stephenson:

This is to advise that Plaintiff's Motion in Limine was granted, and Order was signed by Judge Fisher and filed on May 29, 1968, in the above cause.

Yours very truly,

JAMES R. COONEY, CLERK

By _____
Evelyn Y. Walker
Deputy Clerk

cc: To all other attorneys
of record

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 28, 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

MAY 29 1968

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the following instruments in duplicate to be filed in this case:

(1) Interrogatories propounded to defendant Pittsburgh Corning Corporation.

(2) Interrogatories propounded to Defendants.

(3) Motion and Motion for Discovery.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

May 24, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

MAY 27 1968

Re: Civil No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al.

Dear Mr. Cooney:

Attached we hand you the original and one copy of first amended answer of defendant, Fibreboard Paper Products Corporation, to plaintiff's second amended complaint, and motion to quash service of subpoena, which it is requested that you please file.

A copy of these pleadings has been furnished to all counsel of record in this case.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
Mr. John D. Rienstra
Mr. Ward Stephenson
Mr. Gordon R. Pate
Mr. George Duncan

LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

May 22, 1968

Honorable James R. Cooney
Clerk
United States District Court
Eastern District of Texas
P. O. Box 431
Beaumont, Texas 77704

Re: Civil Action No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing inthe above matter on behalf of the Defendant, Pittsburgh Corning Corporation are the following:

1. Answer of Defendant to Plaintiff's Second Amended Complaint

2. Defendant's Answer to Cross-Actions

3. Defendant's Answer to Interventions.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:MB
cc:
Mr. Ben L. Reynolds
Mr. Ward Stephenson
Mr. John G. Tucker
Mr. John Rienstra
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. Gordon R. Pate
Mr. James W. Mehaffy

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 21, 1968

MAY 22 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the answers of Claude J. Tomplait to written interrogatories of Eagle-Picher Industries, Inc.

A copy of these answers is being mailed to Mr. Ben Reynolds, attorney for Eagle-Picher, on this date.

Yours truly,

Ward Stephenson

Ward Stephenson

WS:jb
Encl.
cc:
Mr. Ben Reynolds
Attorney at Law
877 San Jacinto Building
Houston, Texas (W/Encl.)

P. O. Box 231
Beaumont, Texas
May 24, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Mr. John G. Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Gordon R. Pate
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. John D. Rienstra
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77002

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Geo. A. Weller
P. O. Box 350
Beaumont, Texas 77704

Mr. George E. Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Claude J. Tomplait, vs.
Combustion Engineering, Inc.,
Et Al - Civ. No. 5402

Gentlemen:

You are advised Pre-Trial Stipulation and Order was signed by Judge Fisher, filed and entered in the above cause as of May 23, 1968.

Very truly yours,

JAMES R. COONEY, CLERK

By Virginia R. Sens
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. George E. Murphy
615 San Jacinto Bldg.
Beaumont, Texas 77701

Mr. Jas. W. Mehaffy
San Jacinto Bldg.
Beaumont, Texas 77701

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KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE BOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

May 21, 1968.

MAY 21 1968

Mr. James R. Cooney, Clerk,
United States District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil Action 5402 Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing in the above matter on behalf of the defendant Owens-Corning Fiberglas Corporation are the following:

1. Defendant's Amended Answer to Plaintiff's Second Amended Complaint.

2. Defendant's Answer to Cross-Actions.

3. Defendant's Answer to Interventions.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ben L. Reynolds
Mr. Ward Stephenson
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. Gordon Pate
Mr. James W. Mehaffy
Mr. George Murphy

GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

May 16, 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Ms. Virginia R. Sens, Deputy Clerk
U. S. District Court for the Eastern
District of Texas
Federal Courthouse
Post Office Box 231
Beaumont, Texas

Dear Ms. Sens:

Enclosed please find defendants, Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc.'s Objections to Motion of Plaintiff for Leave to Amend Complaint.

Yours very truly,

GORDON R. PATE

GRP/je

Enclosure

cc: Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Ward Stephenson

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

(713) TE 3-5648

May 15, 1968

MAY 16 1968

Mrs. Virginia R. Sens, Deputy Clerk
United States District Court
Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77704

Re: Civil Action No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al.

Dear Mrs. Sens:

We have your letter advising that the plaintiff has filed a motion for leave to amend his complaint on May 9, 1968.

On behalf of my defendant, Fibreboard Paper Products Corporation, I desire to file objections to this motion, and will do so in the next several days.

Very truly yours,

Geo. A. Weller

Geo. A. Weller

GAW/os

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK
EASTERN DISTRICT OF TEXAS

JAMES R. COONEY
CLERK

P. O. Box 231
Beaumont, Texas 77704
May 15, 1968

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al -
Civil Action No. 5402

Dear Sir:

Order granting Plaintiff's Motion for leave to file Second Amended Complaint, was signed by Judge Fisher, filed and entered in the above cause as of May 15, 1968.

Plaintiff's Second Amended Complaint was filed the same date.

Very truly yours,

JAMES R. COONEY, CLERK

By Virginia R. Sens
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Ben L. Reynolds
Mr. John D. Riemstra
Mr. John Tucker
Mr. Geo. A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

May 11, 1968

MAY 13 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Ms. Virginia R. Sens, Deputy Clerk
U. S. District Court for the Eastern
District of Texas
Federal Courthouse
Post Office Box 231
Beaumont, Texas

Dear Ms. Sens:

This will acknowledge receipt of your letter advising me that the plaintiff filed a Motion for Leave to Amend his Complaint in the above case on May 9, 1968.

I wish to oppose this Motion on behalf of the two defendants that I represent, Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., and will file my objections to said Motion within the next several days.

Yours very truly,

GORDON R. PATE

GRP/je

cc: Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Ward Stephenson

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 8, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

MAY 9 - 1968

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing notice of motion and motion for leave to amend complaint, together with a copy of the plaintiff's proposed amendment attached.

It will be very much appreciated if you will present this motion to Judge Fisher on Monday, May 13th, 1968, or as soon thereafter as possible.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

BEAUMONT

May 9, 1968

CLAUDE J. TOMPLAIT

5402

COMBUSTION ENGINEERING, INC.,
ET AL

May 9, 1968

Plaintiff's Motion for Leave to Amend Complaint.

XXXXXXXX

Since case is set for trial week of May 27th, an immediate response to this Motion will be appreciated.

To: Mr. Don L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. Geo. A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate

Virginia R. Sens

cc: Mr. Ward Stephenson

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 8, 1968

MAY 9 - 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

It will be very much appreciated if you will prepare a subpoena duces tecum for each of the persons listed on the attached list to appear on the 27th day of May, 1968 at 10:00 a.m., in behalf of the plaintiff, in this case.

After the subpoenas have been prepared, it will be appreciated if you will deliver them to the U. S. Marshal, together with our enclosed check in the amount of $30.00. If this amount is not sufficient to take care of the marshal's charges, we will be glad to mail additional remittance to cover.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

Issued 5-9-68 & mailed to U.S. Marshal in Tyler. eyw

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(1) Ben L. Reynolds, Attorney for Eagle-Picher Industries, Inc., 877 San Jacinto Building, Houston, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Eagle-Picher Industries, Inc. which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(2) John D. Rienstra, Attorney for Owens-Corning Fiber Glass Corporation, 707 Beaumont Savings Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Owens-Corning Fiber Glass Corporation which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(3) John Tucker, Attorney for Gustin-Bacon Manufacturing Company, Beaumont Savings Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Gustin-Bacon Manufacturing Company which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(4) George A. Weller, Attorney for Fiberboard Paper Products Corporation, 1008 Goodhue Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products

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manufactured by Fiberboard Paper Products Corporation which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(5) Charles S. Pipkin, Attorney for Combustion Engineering, Inc. and Refractory & Insulation Corporation, 1014 San Jacinto Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Combustion Engineering, Inc. and Refractory & Insulation Corporation which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(6) George E. Duncan, Attorney for Pittsburgh Plate Glass Company and Pittsburgh Corning Corporation, Beaumont Savings Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Pittsburgh Plate Glass Company and Pittsburgh Corning Corporation which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

(7) Gordon R. Pate, Attorney for Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., 1119 Beaumont Savings Building, Beaumont, Texas. Subpoena to bring with him the following:

"A sample or samples at least six inches in diameter of any and all insulating products manufactured by Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc. which contain asbestos, such sample or samples to be labeled with the name of the manufacturer and the trade name of such product."

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KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

May 4, 1968.

MAY 7 - 1968

Mr. James R. Cooney, Clerk,
United States District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil Action No. 5402
Claude J. Tomplait vs.
Combustion Engineering,
Inc., et al

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing in the above matter is Answer to Third Set of Interrogatories made on behalf of Owens-Corning Fiberglas Corporation.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Honorable Ward Stephenson,
Attorney at Law,
Stephenson Building,
Orange, Texas. 77630

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M. L. COOK
C. A. BROWN
E. D. VICKERY
MAYO J. THOMPSON
CARL O. BUE, JR.
GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT
ROBERT L. DAVIS

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

May 1, 1968

Mrs. Rosalie Trahan
Deputy District Clerk
P. O. Box 88
Beaumont, Texas

Claude J. Tomplait vs. Combustion Engineering Inc., Et Al - C. A. No. 5402-Our File 17,233

Dear Mrs. Trahan:

* We enclose Answers to Interrogatories of Defendant Eagle-Picher Industries, Inc. which we would appreciate your filing in the * papers of the captioned cause. We also enclose Interrogatories of Eagle-Picher Industries, Inc. addressed to the Plaintiff which we would appreciate your filing in the captioned matter.

For our file, we would appreciate your noting the date of filing on a copy of this letter which you may return to us in the self-addressed envelope we have enclosed for your convenience.

** By carbon copy we are supplying copies of the foregoing to opposing counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston, Rayzor & Cook

BLR:blm
*Enclosures

cc: Mr. Ward Stephenson
Stephenson Building
Orange, Texas
** (W/Enclosures)
CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

May 2, 1968

MAY 3 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing interrogatories to be propounded to the following named persons in the above case:

(1) Paul E. Petrofsky, President of The Aber Company.

(2) Office Manager of Triangle Insulation Company.

(3) Office Manager of Armstrong Contracting & Supply Co.

(4) Office Manager of Industrial Insulators, Inc.

(5) Office Manager of The Fluor Corporation, Ltd.

(6) Office Manager of B & B Engineering & Supply Co.

(7) Office Manager of Sabine Insulation Company, Inc.

(8) Harold C. Driemeier, Office Manager of Johns-Manville Sales Corporation.

(9) Office Manager of Brooks-Fisher Insulating Company.

Please file these instruments among the papers in this case.

Yours truly,

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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WILL E. ORGAIN (1882-1965)
MAJOR T. BELL
JOHN G. TUCKER
BENJ. D. ORGAIN
CLEVE BACHMAN
STANLEY PLETTMAN
HOWELL COBB
JAMES W. HAMBRIGHT
DAVID J. KREAGER
BENNY H. HUGHES, JR.
GILBERT I. LOW
GEORGE H. KOLB
J. HOKE PEACOCK II
LAWRENCE LOUIS GERMER

ORGAIN, BELL & TUCKER
ATTORNEYS AT LAW
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

TELEPHONE TE 8-6412

April 22, 1968

APR 23 1968

Re: Civil Action 5402 - Claude J. Tomplait v.
Combustion Engineering, Inc., et al

Mr. James R. Cooney, Clerk
United States District Court
Eastern District of Texas
Box 231
Beaumont, Texas 77704

Dear Mr. Cooney:

* We enclose, in duplicate, cross-interrogatories to be propounded to the office manager of The Aber Company, Inc. in behalf of the defendant, Gustin-Bacon Manufacturing Company, to be filed in the above case.

Very truly yours,

ORGAIN, BELL & TUCKER

John G. Tucker

JGT:DFG
* encl.

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

April 18, 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's third set of interrogatories propounded to defendant Owens-Corning Fiberglas Corporation. Please file this instrument in this case.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L S. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

April 16, 1968.

Mr. James R. Cooney, Clerk,
United States District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil Action No. 5402
Claude J. Tomplait vs.
Combustion Engineering,
Inc., etal

Dear Mr. Cooney:

Enclosed herewith in duplicate for filing in the above matter is Answer of Owens-Corning Fiberglas Corporation to Second set of Interrogatories served upon it.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ward Stephenson,
Attorney at Law,
Stephenson Building,
Orange, Texas.

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

August 13, 1968

Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. George Weller

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Gentlemen:

Enclosed is a copy of the proposed order on plaintiff's motion for discovery in this case.

Please advise immediately by return mail whether or not this proposed order meets with your approval, so that the original can be forwarded to the clerk for Judge Fisher's signature.

Yours truly,

Ward Stephenson

WS:jb
Encl.

WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

August 9, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy

Re: Civil No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you original and copy of answer of defendant, Fibreboard Paper Products Corporation, to interrogatory and motion for discovery, which you are requested to please file.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ward Stephenson
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
Mr. Gordon R. Pate
Mr. John D. Rienstra
Mr. George Duncan

P. O. Box 251
Beaumont, Texas
July 26, 1968

Mr. George A. Weller
Weller, Wheelus & Green
P. O. Box 350
Beaumont, Texas 77704

Re: Claude J. Tomplait, et.
Combustion Engineering, Inc., et al
Civil No. 5402

Dear Sir:

Enclosed is certified copy of ORDER denying Defendants' Motion for Certificate of Controlling Question of Law under Title 28, Judiciary and Judicial Procedure, Chapter 83, Section 1292(b), in the above cause. This Order was signed by Judge Fisher, filed and entered as of July 26, 1968.

Yours very truly,

JAMES R. COONEY, CLERK

By_____
Mildred C. Verret
Deputy Clerk

Enclosure

cc: Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Charles S. Pipkin
Mr. Ward Stephenson
Mr. John G. Tucker
Mr. James W. Mehaffy
(Enclosures to above)

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

July 24, 1968

Mr. James R. Cooney, Clerk
United States District Court
Federal Building
P. O. Box 231
Beaumont, Texas 77704

JUL 24 1968

Attention: Mrs. Rosalie Trahan

Re: Civil No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you reply of defendant, Fibreboard Paper Products Corporation, to plaintiff's motion to strike certain portions of the written interrogatories directed to Dr. Stanton P. Fischer. Please refer this to Judge Fisher.

Also attached is proposed order.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
Mr. John D. Rienstra
Mr. Ward Stephenson
Mr. George Duncan
Mr. Gordon R. Pate

BEAUMONT

P. O. Box 231
Beaumont, Texas
July 19, 1968

CLAUDE J. TOMPLAIT

5402

COMBUSTION ENGINEERING, INC., ET AL

July 18, 1968

Plaintiff's Motion to Strike Certain Portions of Written Interrogatories of Mr. Stanton P. Fischer

XXXXXXXXXX

To: Mr. Ben L. Reynolds
Mr. John D. Ellenburg
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon E. Pete
Mr. Ward Stephenson
Mr. James W. Mahaffy

Mildred C. Verret

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

July 16, 1968

JUL 18 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re : Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's motion to strike certain portions of the written interrogatories of Dr. Stanton P. Fischer in this case. Also enclosed is a proposed order of the court on this motion. If you will call Judge Fisher's attention to the filing of this motion, it will be very much appreciated.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.
cc:
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. John Tucker
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate
(W/Encl.)

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

July 17, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

Attention: Mrs. Rosalie Trahan, Deputy Clerk

Re: Civil No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al.

Dear Mrs. Trahan:

Attached we hand you for filing motion of defendants for certification of a controlling question of law under Title 28, Judiciary and Judicial Procedure, Chapter 83, Section 1292(b), which you are requested to file and then present to Judge Fisher. Also attached is a brief in support of defendants' motion to certify.

If the Court overrules the motions for summary judgment and advises us that he will certify the questions involved to the Fifth Circuit, then the defendants will prepare appropriate orders overruling their respective motions for summary judgment and the order of certification.

In the event Judge Fisher sustains the respective motions for summary judgment, we will prepare this order.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ward Stephenson
Mr. John D. Rienstra
Mr. George E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Charles S. Pipkin
Mr. John G. Tucker

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

July 22, 1968

JUL 23 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the plaintiff's reply to motion of defendants for certification of a controlling question of law under Title 28, Judiciary and Judical Procedure, Chapter 83, Section 1292(b). Please file this instrument, and if you will, call it to Judge Fisher's attention.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Marlin Thompson

Marlin Thompson

MT:jb
Encl.
cc:
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George E. Duncan
Mr. Gordon R. Pate

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P. O. Box 231
Beaumont, Texas
July 19, 1968

Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. George E. Duncan
Wells, Duncan and Beard
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Gordon R. Pate
Attorney at Law
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Claude J. Tomplait, vs.
Combustion Engineering, Inc., et al
Civil No. 5402

Dear Sirs:

You are advised that the ORDERS granting Motions for Summary Judgment and dismissing cause of actions for the below listed Defendants, were signed by Judge Fisher, filed and entered as of July 17, 1968, in the above cause:

Gustin-Bacon Manufacturing Company
Pittsburgh Plate Glass Company
Johns-Manville Fiber Glass, Inc.

Yours very truly,

JAMES R. COONEY, CLERK

By_____
Mildred C. Verzat
Deputy Clerk

cc: Mr. Ward Stephenson
Mr. Charles S. Pipkin
Mr. John D. Rienstra
Mr. George A. Weller
Mr. Sam L. Reynolds
Mr. James W. Moriarty
Mr. George E. Murphy

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[redacted]
P. O. Box 211
[redacted]
July 19, 1968

Mr. George H. Duncan
Wells, Duncan & Boyd
[redacted]
[redacted], Texas 77701

§402
Claude J. Tomplait, Wm.
Combustion Engineering, Inc., et al

Mr. Byrd Stephenson
Stephenson, Thompson & Morris
[redacted]
Orange, Texas 77630

Dear Sirs:

July 18, 1968:

Order granting Defendant, Pittsburgh Corning Corporation, leave to file Third-Party Complaint, impleading [redacted] INSURANCE, INC., was signed by Judge Fisher, filed and entered as of July 18, 1968.

cc: Mr. Charles S. Pipkin
Mr. John P. Kiesewetter
Mr. John G. Tasker
Mr. George A. Weller
Mr. Sam L. Reynolds
Mr. Gordon R. Pate
Mr. James W. Mahaffy
Mr. George E. Murphy

Enclosure to Mr. Duncan only
(Certified copy of Order)

Mildred C. Verret

M. L. COOK
C. A. BROWN
E. D. VICKERY
MAYO J. THOMPSON
CARL O. BUE, JR.
GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

December 11, 1968

Honorable James R. Cooney,
Clerk Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77701

DEC 12 1968

Claude J. Tomplait vs. Combustion Engineering, Inc., Et Al - Civil Action No. 5402 - Our File 17,233

Dear Sir:

We enclose Supplemental Answer to Interrogatory. We would appreciate your filing in the papers of this cause. By carbon copy we are supplying a copy of the Answer to Interrogatory to opposing counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

ORIGINAL SIGNED
ROYSTON, RAYZOR & COOK

BLR:bhm
*Enclosure

cc: Mr. Ward Stephenson
Stephenson Building
Orange, Texas
** (W/Enclosure)

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Circuit Court of Jasper County, Missouri

SIXTH STREET AND PEARL AVENUE
JOPLIN
MAYFAIR 3-2595

HAROLD JONES
CLERK OF CIRCUIT COURT

COURTHOUSE BUILDING
CARTHAGE
FLEETWOOD 8-4546

RAY E. WATSON
JUDGE, DIV. NO. ONE
JOPLIN, MISSOURI
TELEPHONE MAYFAIR 4-1935
COURT REPORTER
VERA MAE GANT

WOODSON OLDHAM
JUDGE, DIV. NO. TWO
JOPLIN, MISSOURI
TELEPHONE MAYFAIR 4-2235
COURT REPORTER
W. A. SEILER

December 5, 1968

DEC 9 - 1968

Clerk of the United States District Court
Eastern District of Texas
Beaumont, Texas

Re: Civil No. 5402
Claude J. Tomplait vs. Combustion Engineering, Inc. et al

Dear Sir:

I am enclosing herewith answers to interrogatories propounded to Mr. Herman L. Huelster in the above matter and would appreciate your filing the same.

Very truly yours,

Vera Mae Gant

vmg
Enc.

cc: Mr. Ward Stephenson, Stephenson, Thompson and Morris
Orange, Texas 77630

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P. O. Box 231
Beaumont, Texas 77704
December 4, 1968

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Ward Stephenson
Stephenson Building
Orange, Texas 77630

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., et al - Civ. #5402

Gentlemen:

You are advised the Order Granting Leave for Defendants Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Serve Amended Answer to Third Amended Complaint; was signed by Judge Fisher, filed and entered in the above cause as of December 3, 1968.

First Amended Original Answer of Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Plaintiff's Third Amended Complaint, was filed and entered in the records the same date.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Geo. E. Duncan
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. Robt. Q. Keith
Mr. Geo. A. Weller
Mr. John G. Tucker
Mr. John D. Riemstra
Mr. Gerald P. Coley

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GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

August 30, 1968

Mrs. Rosalie Trahan
Deputy District Clerk
Post Office Box 88
Beaumont, Texas 77704

SEP 4 - 1968

Claude J. Tomplait v.
Combustion Engineering, Inc.,
Et Al - C. A. No. 5402 -
Our File 17,233

Dear Mrs. Trahan:

* We enclose Answer of Defendant Eagle-Picher Industries, Inc. to Interrogatories and Motion for Discovery which we would appreciate your filing in the papers of this matter.

** By carbon copy of this letter, we are forwarding copies of this instrument to opposing counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

BLR/pmh
*Enclosure

cc: Mr. Ward Stephenson
Messrs. Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630
**(W/Enclosure)

(over)

cc: Mr. John D. Rienstra
Attorney at Law
707 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. John Tucker
Messrs. Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosures)

cc: Mr. George A. Weller
Attorney at Law
Post Office Box 350
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Charles S. Pipkin
Attorney at Law
Post Office Box 1632
Beaumont, Texas 77704
**(W/Enclosure)

cc: Mr. George E. Duncan
Attorney at Law
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Gordon R. Pate
Attorney at Law
1119 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Robert Keith
San Jacinto Building
Beaumont, Texas 77701
**(W/Enclosure)

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

August 28, 1968

AUG 29 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the original and one copy of Order on Plaintiff's Motion for Discovery in this case. It will be appreciated if you will present this order to Judge Fisher at your earliest convenience. A copy of this proposed order was mailed to all of the attorneys for the defendants on the 13th day of August, 1968, as shown by a copy of such letter which is enclosed. Apparently this order met with the approval of the attorneys since I have not had any reply from them.

Yours truly,

Ward Stephenson

WS:jb
Encl.
cc:
Mr. Gordon R. Pate
Mr. Ben L. Reynolds
Mr. John D. Rienstra
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. George Weller

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LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

August 26, 1968

AUG 27 1968

Honorable James R. Cooney
Clerk
United States District Court
Eastern District of Texas
P.O. Box 231
Beaumont, Texas 77704

Re: Claude J. Tomplait vs. Combustion Engineering, Inc., et al - Civil Action No. 5402

Dear Sir:

Enclosed herewith are duplicate originals of Answer of Defendant, Pittsburgh Corning Corporation to Interrogatory and Motion for Discovery to be filed in the above-numbered and styled cause. Copies of the above-mentioned Answer have been mailed to all attorneys of record on this date.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:MB
Encl.

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M. L. COOK
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EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID S. CONNERY, JR.
DONALD K. ECKHARDT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

August 26, 1968

AUG 27 1968

Mrs. Rosalie Trahan
Deputy District Clerk
Post Office Box 88
Beaumont, Texas 77704

Claude J. Tomplait v.
Combustion Engineering, Inc.,
Et Al - C. A. No. 5402 -
Our File 17,233

Dear Mrs. Trahan:

* We enclose Notice of Taking of Deposition which we would appreciate your filing in the papers of the captioned matter.

For our file, we would appreciate your noting the date of
* filing on a copy of this letter which you may return to us in the self-addressed envelope we have enclosed for your convenience.

** By carbon copy, we enclose copies of the Notice to all counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston, Rayzor & Cook

BLR/pmh
*Enclosures

(over)

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cc: Mr. Ward Stephenson
Messrs. Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630
**(W/Enclosure)

cc: Mr. John D. Rienstra
Attorney at Law
707 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. John Tucker
Messrs. Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. George A. Weller
Attorney at Law
Post Office Box 350
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Charles S. Pipkin
Attorney at Law
Post Office Box 1632
Beaumont, Texas 77704
**(W/Enclosure)

cc: Mr. George E. Duncan
Attorney at Law
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Gordon R. Pate
Attorney at Law
1119 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Robert Keith
San Jacinto Building
Beaumont, Texas 77701
**(W/Enclosure)

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

August 26, 1968

Re: Civil Action No. 5402 - Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Ms. Virginia R. Sens, Deputy Clerk
U. S. District Court for the Eastern
District of Texas
Federal Courthouse
Post Office Box 231
Beaumont, Texas

Dear Ms. Sens:

Enclosed please find the following:

(1) Original and one copy of Answer to Interrogatory;

(2) Original and one copy of Answer to certain parts of Plaintiff's Motion for Discovery.

Yours very truly,

Gordon R. Pate
GORDON R. PATE

GRP/je

Enclosures

cc: Mr. Ward Stephenson - Certified Mail
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. John Rienstra
Mr. Ben L. Reynolds
Mr. George Weller

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MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

April 11, 1968

APR 12 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing Notice with attached Interrogatories to be Propounded to the Office Manager or other Officer of the Johns-Manville Sales Corporation. Please file these instruments among the papers in this cause.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

April 9, 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77701

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing Notice with attached Interrogatories to be Propounded to the Office Manager or other Officer of The Aber Company, Inc. Please file these instruments among the papers in this cause.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.

KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

March 4, 1968

MAR 7 1968

Mr. James R. Cooney
Clerk, United States District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the following instruments to be filed in this case:

(1) Interrogatories propounded to defendant Eagle-Picher Industries, Inc.

(2) Interrogatories Propounded to defendant Owens-Corning Fiberglas Corporation.

(3) Interrogatories propounded to defendants R & I Refractory and Insulation Corporation and Combustion Engineering, Inc.

(4) Interrogatories Propounded to defendant Pittsburgh Corning Corporation.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

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LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

February 17, 1968

Honorable James R. Cooney
Clerk
United States District Court
Eastern District of Texas
United States Post Office and Courts Building
Beaumont, Texas

Re: Claude J. Tomplait vs. Combustion Engineering, Inc., et al - C. A. No. 5402

Dear Mr. Cooney:

Enclosed, you will find the following:

1. Duplicate originals of Answers to Interrogatories to be filed on behalf of the Defendant Pittsburgh Corning Corporation.

2. Duplicate originals of Answers to Interrogatories to be filed on behalf of Defendant Pittsburgh Plate Glass Company.

Please accept and file the above documents with the other papers in the above-styled and numbered cause.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:ew
encl.

cc: Mr. Ben L. Reynolds
Royston, Rayzor & Cook
877 San Jacinto Building
Houston, Texas 77002

Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630

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cc: Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701

Mr. John Rienstra
King, Sharfstein & Rienstra
Beaumont Savings Building
Beaumont, Texas 77701

Mr. George A. Weller
P. O. Box 350
Beaumont, Texas 77701

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Gordon R. Pate
Beaumont Savings Building
Beaumont, Texas 77701

Mr. James W. Mehaffy
San Jacinto Building
Beaumont, Texas 77701

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M. L. COOK
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GEORGE W. RENAUDIN
BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT
ROBERT L. DAVIS

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW
877 SAN JACINTO BUILDING
HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

February 14, 1968

FEB 15 1968

Mrs. Rosalie Trahan
Deputy District Clerk
P. O. Box 88
Beaumont, Texas

Claude J. Tomplait vs.
Combustion Engineering, Inc., Et Al
Civil Action No. 5402
Our File 17,233

Dear Mrs. Trahan:

* We enclose for filing Answers to Interrogatories on behalf of Defendant, Eagle-Picher Industries, Inc.

2-15 6[illegible].

We would appreciate your advising the date of filing on a copy of this letter which you may return in the self-addressed envelope we
* have enclosed for your convenience.

** By carbon copy, we are serving a copy of our Answers to Interrogatories on all counsel of record.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston, Rayzor & Cook

BLR/pmh
*Enclosures

(over)

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cc: Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas
**(W/Enclosure)

cc: Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas 77704
**(W/Enclosure)

cc: Mr. John G. Rienstra
King, Sharpstein & Rienstra
707 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. George Duncan
Beaumont Savings Building
Beaumont, Texas 77701
**(W/Enclosure)

cc: Mr. George Weller
P. O. Box 350
Beaumont, Texas
**(W/Enclosure)

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

Area Code 713
Telephone TErminal 8-6578

February 12, 1968

FEB 14 1968

Re: Civil Action 5402 - U. S. District Court, Beaumont
Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Mr. James R. Cooney, Clerk
United States District Court
Eastern District of Texas
Post Office Box 231
Beaumont, Texas 77704

Dear Mr. Cooney:

Pursuant to Judge Fisher's ruling, you will find herewith, answers of Johns-Manville Fiber Glass Inc., and Johns-Manville Products Corporation to interrogatories propounded by plaintiff to be filed in this case.

Yours very truly,

GORDON R. PATE

GRP/je

Enclosures

cc: Mr. Ben L. Reynolds
Mr. Ward Stephenson
Mr. John Rienstra
Mr. George A. Weller
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. John G. Tucker

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DAVID B. CONNERY, JR.
DONALD K. ECKHARDT
ROBERT L. DAVIS

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

January 19, 1968

Mrs. Rosalie Trahan
Deputy District Clerk
United States District Court
For the Eastern District of Texas
P. O. Box 88
Beaumont, Texas 77704

Civil Action No. 5402 -
Claude J. Tomplait vs.
Combustion Engineering, Inc.,
Et Al - Our File 17,233

Dear Mrs. Trahan:

* We enclose First Supplemental Answer of Defendant, Eagle-Picher Industries, Inc., which we would appreciate your filing in the papers of the above entitled and numbered cause.

For our file, we would appreciate your noting the date of filing on a copy of this letter which you may return to us in the self-
* addressed envelope we have enclosed for your convenience. _ done

By carbon copy, we are supplying copies of our First Supple-
** mental Answer to opposing counsel.

Thank you for your courtesy and cooperation.

Yours very truly,

Royston, Rayzor & Cook

BLR/pmh
*Enclosures

(over)

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cc: Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas 77704
** (W/Enclosure)

cc: Mr. John D. Riestra
King, Sharfstein & Rienstra
707 Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630
** (W/Enclosure)

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. George Duncan
Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. George Weller
P. O. Box 350
Beaumont, Texas
** (W/Enclosure)

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WELLER, WHEELUS & GREEN
ATTORNEYS AT LAW
GOODHUE BUILDING
P. O. BOX 350
BEAUMONT, TEXAS 77704

(713) TE 3-5648

GEO. A. WELLER
KYLE WHEELUS, JR.
EDWARD H. GREEN
THAD HEARTFIELD

January 19, 1968

Mr. James R. Cooney
United States District Clerk
P. O. Box 231
Beaumont, Texas 77704

Re: Civil No. 5402 - Claude J. Tomplait
vs. Combustion Engineering, Inc., et al.

Dear Mr. Cooney:

Attached we hand you for filing affidavit of George Henderson which is to be considered in connection with motion for summary judgment filed on behalf of the defendant, Fibreboard Paper Products Corporation.

A copy of this affidavit, with a copy of this letter, has been mailed by certified mail to Mr. Ward Stephenson, attorney for plaintiff, Orange, Texas, and a copy has been mailed by ordinary mail to each and all of the attorneys for the remaining defendants.

Very truly yours,

Geo. A. Weller

GAW/os
Encl.

cc: Mr. Ward Stephenson
Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Charles S. Pipkin
Mr. John D. Rienstra
Mr. Gordon R. Pate
Mr. George Duncan

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P. O. Box 231
Beaumont, Texas
January 18, 1968

Mr. George A. Weller
Weller, Wheelus & Green
P. O. Box 350
Beaumont, Texas 77704

Re: Claude J. Tomplait, vs. Combustion Engineering Inc., et al
Civil No. 5402

Dear Sir:

You are advised that the Order granting Defendants' Motion that a common file be created for Exhibits and Affidavits filed in connection with Motion for Summary Judgment, was signed by Judge Fisher, filed and entered as of January 18, 1968.

Yours very truly,

JAMES R. COOMEY, CLERK

By_____
Deputy Clerk

cc: Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas 77704

cc: Mr. George E. Duncan
Wells, Duncan and Beard
Beaumont Savings Bldg.
Beaumont, Texas 77701

cc: Mr. Ward Stephenson
Stephenson, Morris & Thompson
Stephenson Building
Orange, Texas 77630

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701

Mr. John D. Rienstra
Sharfstein, King & Rienstra
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Mr. Ben L. Reynolds
Royston, Rayzor & Cook
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Houston, Texas 77002

WILL E. ORGAIN (1882-1965)
MAJOR T. BELL
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BENNY H. HUGHES, JR.
GILBERT I. LOW
GEORGE H. KOLB
J. HOKE PEACOCK II
LAWRENCE LOUIS GERMER

ORGAIN, BELL & TUCKER
ATTORNEYS AT LAW
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

TELEPHONE TE 8-6412

January 15, 1968

Re: Civil Action No. 5402, U. S. District Court, Beaumont - Claude J. Tomplait vs. Combustion Engineering, Inc., et al

Mr. James R. Cooney
Clerk of United States District Court
Eastern District of Texas
Beaumont Division
Beaumont, Texas

Dear Mr. Cooney:

You will find herewith, to be filed in the above case, the following:

1. Answer of the defendant, Gustin-Bacon Manufacturing Company.

2. Motion for summary judgment of defendant, Gustin-Bacon Manufacturing Company.

3. Cross-interrogatories propounded to Dr. I. J. Selikoff.

Very truly yours,

ORGAIN, BELL & TUCKER

John G. Tucker

JGT/ja
Enclosures

cc: Mr. Ben L. Reynolds
Royston, Rayzor & Cook
877 San Jacinto Building
Houston, Texas 77002

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

January 15, 1968

Area Code 713
Telephone TErminal 8-6578

Re: Civil Action No. 5402 - Claude J. Tomplait vs.
Combustion Engineering, Inc., et al.

Mrs. Rosalie Trahan
Deputy Clerk
United States District Court
Federal Building
Beaumont, Texas

Dear Mrs. Trahan:

I am enclosing the following:

(1) Original Answer of Defendants, Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., to Plaintiff's First Amended Complaint.

(2) Motion for Summary Judgment on behalf of Defendants, Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., together with Order setting hearing on Motion.

Please file the above instruments.

By copy of this letter, I am furnishing opposing counsel with copies of these pleadings.

Yours very truly,

GORDON R. PATE

GRP/la
Enclosures

cc: Mr. Ward Stephenson
Mr. Ben Reynolds
Mr. John G. Tucker
Mr. Charles Pipkin
Mr. John Rienstra
Mr. George Duncan
Mr. George A. Weller

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

January 15, 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing the answers of Claude J. Tomplait to interrogatories propounded by Owens-Corning Fiberglas Corporation, which we will appreciate your filing among the papers in this cause.

A copy of these answers is being forwarded to Mr. John Rienstra, attorney for Owens-Corning on this date.

Yours truly,

STEPHENSON, THOMPSON AND MORRIS

Ward Stephenson

WS:jb
Encl.
cc:
Mr. John D. Rienstra (W/Encl.)

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STRONG, PIPKIN, NELSON & PARKER
ATTORNEYS AT LAW
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BEAUMONT, TEXAS 77704

AREA CODE 713
TE 5-4564

BEEMAN STRONG (1875-1960)
CHARLES S. PIPKIN
EWELL STRONG
LOUIS V. NELSON
KENNETH L. PARKER
PIKE POWERS, JR.

January 16, 1968

Mr. James R. Cooney, Clerk,
United States District Court,
Beaumont, Texas.

Re: Civil No. 5402 - U. S. District Court, Beaumont:
Claude J. Tomplait vs. Combustion Engineering, Inc.

Dear Sir:

I hand you herewith for filing in the above matter Cross-Interrogatories propounded to Dr. I.J. Selikoff, by the defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation.

Yours very truly,

Charles S. Pipkin

CSP/lb
Encl
CC - Mr. Ben L. Reynolds
Mr. John G. Tucker
Mr. Ward Stephenson
Mr. John Rienstra
Mr. George A. Weller
Mr. George Duncan
Mr. Gordon R. Pate

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LAW OFFICES OF
WELLS, DUNCAN AND BEARD
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

PETER WELLS
GEORGE E. DUNCAN
LOUIS H. BEARD
S. L. GREENBERG
TANNER T. HUNT, JR.

January 15, 1968

Mrs. Rosalie Trahan
P. O. Box 88
Beaumont, Texas

Re: Claude J. Tomplait vs. Combustion Engineering, Inc., et al - Civil Action No. 5402

Dear Mrs. Trahan:

I am enclosing herewith duplicate originals of Original Answer of Pittsburgh Plate and Glass Company to Plaintiff's First Amended Complaint. Please file the above instrument and note on the enclosed extra copy the time and date of filing.

By copy of this letter I am furnishing copies of the above Answer to the other attorneys of record.

Very truly yours,

WELLS, DUNCAN AND BEARD

George E. Duncan

George E. Duncan

GED:MB
Encl.
cc:
Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701

Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas

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Mr. John D. Rienstra
King, Sharfstein & Rienstra
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Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630

Mr. Gordon R. Pate
1119 Beaumont Savings Building
Beaumont, Texas 77701

Mr. Ben L. Reynolds
Royston, Rayzor & Cook
San Jacinto Building
Houston, Texas 77006

Mr. George Weller
P. O. Box 350
Beaumont, Texas

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cc: Mr. Ward Stephenson
Stephenson Building
Orange, Texas

Mr. John Rienstra
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

Mr. James W. Mehaffy
San Jacinto Building
Beaumont, Texas 77701

Mr. George Murphy
San Jacinto Building
Beaumont, Texas 77701

Mr. Gordon Pate
Beaumont Savings Building
Beaumont, Texas 77701

P. O. Box 231
Beaumont, Texas 77704
January 15, 1968

Mr. John D. Rienstra
707 Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - Civ. #5402

Dear Mr. Rienstra:

This is to advise the Order was signed by Judge Fisher, filed and entered in the above cause as of January 15, 1968, granting Defendants an extension of 30 additional days from January 15, 1968, within which to answer Interrogatories, and in answering, need not precede the year 1959.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. John G. Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ward Stephenson
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Orange, Texas 77630

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77002

Mr. George E. Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Geo. A. Weller
P. O. Box 350
Beaumont, Texas 77704

P. O. Box 231
Beaumont, Texas 77704
January 15, 1968

Mr. Gordon E. Pate
1119 Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - Civ. #5402

Dear Mr. Pate:

Order granting the Motion of Johns-Manville Sales Corporation for Summary Judgment, and dismissing the Complaint as to Defendant Johns-Manville Sales Corporation; was signed by Judge Fisher, filed and entered in the above cause as of January 11, 1968.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sens
Deputy Clerk

cc: Mr. Ward Stephenson
Stephenson Bldg.
Orange, Texas 77630

Mr. John D. Rienstra
707 Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77002

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Geo. A. Weller
P. O. Box 350
Beaumont, Texas 77704

Mr. George E. Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. John G. Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77701

KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

January 12, 1968.

Mr. James Black,
United States District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil No. 5402 Tomplait vs.
Combustion Engineering,
Inc., et al

Dear Mr. Black:

Enclosed herewith is motion and appropriate order for extension of time to answer interrogatories which Judge Fisher requested me to present on behalf of the defendants named in said motion.

I would appreciate your presenting this matter to Judge Fisher for his consideration.

A true copy is being mailed to all interested counsel.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ben L. Reynolds
Mr. Charles S. Pipkin
Mr. George Duncan
Mr. Gordon A. Pate
Mr. Ward Stephenson

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GORDON R. PATE
ATTORNEY AT LAW
1119 Beaumont Savings Building
BEAUMONT, TEXAS 77701

January 5, 1968

Area Code 713
Telephone TErminal 8-6578

Mr. James Black
Law Clerk
Office of Judge Joe J. Fisher
United States District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al.

Dear James:

I am enclosing Motion for Summary Judgment in the above case, on behalf of one of the defendants that I represent to-wit: Johns-Manville Sales Corporation.

I have discussed this Motion with Mr. Stephenson and he has agreed that if I file the Motion, he will not contest it and will write a letter to the Court advising the Court that he is not contesting the granting of a Summary Judgment on behalf of Johns-Manville Sales Corporation. By copy of this letter, I am furnishing Mr. Stephenson with a copy of the Motion and proposed Order and requesting him to advise the Court that he does not have any objections as to Johns-Manville Sales Corporation being dismissed.

As soon as you receive Mr. Stephenson's letter, I would appreciate your presenting the Motion and Order to the Court for entry of the Order. When same has been entered, please advise me as I would like to have the order entered prior to January 15, if possible, in order that I will not have to file an answer on behalf of this defendant or answer the interrogatories, on behalf of this defendant.

Yours very truly,

Gordon R. Pate

GORDON R. PATE

GRP/la
Enclosures

cc: Mr. Ward Stephenson

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BRYAN F. WILLIAMS, JR.
EDWARD J. PATTERSON, JR.
GUS A. SCHILL, JR.
JOHN TEED
BEN L. REYNOLDS
RICHARD D. DAVIS
CHARLES D. KENNEDY
DAVID C. REDFORD
DAVID B. CONNERY, JR.
DONALD K. ECKHARDT

CABLEGRAM "HOUPORT"

ROYSTON, RAYZOR & COOK

ATTORNEYS AT LAW

877 SAN JACINTO BUILDING

HOUSTON, TEXAS, 77002

J. NEWTON RAYZOR
COUNSEL

GALVESTON OFFICE
205 COTTON EXCHANGE BLDG.
GALVESTON, TEXAS, 77550
CABLEGRAM "ROYSTON"

January 13, 1968

Mrs. Rosalie Trahan
P. O. Box 88
Beaumont, Texas

Claude J. Tomplait vs.
Combustion Engineering, Inc.,
Et al - Civil Action No. 5402 -
Our File 17,233

Dear Mrs. Trahan:

* We enclose for filing the following:

1. Original Answer of Defendant, Eagle-Picher Industries, Inc. to Plaintiff's First Amended Complaint.

2. Motion for Summary Judgment on Behalf of Defendant, Eagle-Picher Industries, Inc.

* We would appreciate your filing the above instruments and noting on a copy of this letter the time and date of filing.
* We have enclosed a self-addressed stamped envelope for your convenience.

** By copy of this letter we are furnishing opposing counsel with copies of these pleadings.

Very truly yours,

Royston, Rayzor & Cook

BLR:ss
*Enclosures

cc: Mr. John G. Tucker
Orgain, Bell & Tucker
Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. Charles S. Pipkin
Strong, Pipkin, Strong & Nelson
P. O. Box 1632
Beaumont, Texas 77704
** (W/Enclosure)

cc: Mr. John D. Rienstra
King, Sharfstein & Rienstra
707 Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. Ward Stephenson
Stephenson, Thompson & Morris
Stephenson Building
Orange, Texas 77630
** (W/Enclosure)

cc: Mr. Gordon R. Pate
1119 Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. George Duncan
Beaumont Savings Building
Beaumont, Texas 77701
** (W/Enclosure)

cc: Mr. George Weller
P. O. Box 350
Beaumont, Texas
** (W/Enclosure)

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of **STEPHENSON, THOMPSON AND MORRIS**

STEPHENSON BUILDING / ORANGE, TEXAS 77630

January 12, 1968

Mr. James R. Cooney
Clerk, U. S. District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear Mr. Cooney:

We are enclosing notice with attached written interrogatories to be propounded by plaintiff to Dr. Irving J. Selikoff. Please file this instrument among the papers in this action.

Yours truly,

STEPHENSON, THOMPSON & MORRIS

Ward Stephenson

Ward Stephenson

WS:jb
Encl.

KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

January 12, 1968.

Mr. James ... Cooney, Clerk,
U. S. District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil No. 5402 - Tomplait
vs. Combustion Engineering,
Inc., et al

Dear Mr. Cooney:

Enclosed herewith is Answer in duplicate on behalf of Owens-Corning Fiberglas Corporation for filing in the above matter.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ben L. Reynolds
Mr. John Tucker
Mr. George Heller
Mr. George Duncan

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WILL E. ORGAIN (1882-1965)
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CLEVE BACHMAN
STANLEY PLETTMAN
HOWELL COBB
JAMES W. HAMBRIGHT
DAVID J. KREAGER
BENNY H. HUGHES, JR.
GILBERT I. LOW
GEORGE H. KOLB
J. HOKE PEACOCK II
LAWRENCE LOUIS GERMER

ORGAIN, BELL & TUCKER
ATTORNEYS AT LAW
BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS
77701

TELEPHONE TE 8-6412

January 8, 1968

Re: Civil Action 5402 - U. S. District Court, Beaumont
Claude J. Tomplait v. Combustion Engineering, Inc.,
et al

Mr. James R. Cooney, Clerk
United States District Court
Eastern District of Texas
P. O. Box 231
Beaumont, Texas 77704

Dear Mr. Cooney:

* Pursuant to Judge Fisher's ruling, you will find herewith answers of Gustin-Bacon Manufacturing Company to interrogatories propounded by plaintiff to be filed in this case.

Very truly yours,

ORGAIN, BELL & TUCKER

John G. Tucker

JGT:DFG
* encl.
cc-Mr. Ben L. Reynolds
cc-Mr. Ward Stephenson
cc-Mr. John Rienstra
cc-Mr. George A. Weller
cc-Mr. Charles S. Pipkin
cc-Mr. George Duncan
cc-Mr. Gordon Pate
cc-Mr. James W. Mehaffy

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January 4, 1968

JAN 5-1968

Re: Civil Action No. 5402 - Claude J. Templait v. Combustion Engineering, Inc., et al - In the U. S. District Court.

Mr. Ward Stephenson
Attorney at Law
Stephenson Building
Orange, Texas

Dear Ward:

This will confirm our telephone conversation of this date with reference to Interrogatory No. 1, which you have propounded to the defendants in the above case. In accordance with our agreement, I will furnish you the information requested by said Interrogatory as far back as the records are available, however, as I advised you, it is quite possible that some of the records going back to 1950 have been destroyed.

In accordance with our agreement, I will go back as far as the records are available.

Yours very truly,

GORDON R. PATE

GORDON R. PATE

GRP/la

cc: Mr. James M. Black
Law Clerk
United States District Court
Post Office Box 231
Beaumont, Texas

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KING, SHARFSTEIN & RIENSTRA
ATTORNEYS AT LAW
707 BEAUMONT SAVINGS BUILDING
BEAUMONT, TEXAS 77701

STEVE M. KING (1878-1958)
SAM'L B. SHARFSTEIN (1901-1963)
JOHN D. RIENSTRA
MARION J. RIENSTRA
DALE DOWELL
JOHN D. RIENSTRA, JR.

TELEPHONE TE 3-6317

January 4, 1968.

James R. Cooney, Clerk,
U. S. District Court,
Post Office Building,
Beaumont, Texas.

RE: Civil Action No. 5402
Claude J. Tomplait vs.
Combustion Engineering,
Inc., et al

Dear Mr. Cooney:

Enclosed herewith for filing in the above matter is original and one copy of Interrogatories directed to the plaintiff on behalf of the defendant, Owens-Corning Fiberglas Corporation.

By a copy of this letter, certified mail, return receipt requested, I am serving a copy of these interrogatories upon plaintiff's counsel.

Sincerely yours,

John D. Rienstra

JDR:L

Enclosures

cc-Mr. Ward Stephenson,
Attorney at Law,
Stephenson Building,
Orange, Texas.
Certified Mail-
Return Receipt Requested

P. O. Box 231
Beaumont, Texas 77704
January 4, 1968

Mr. Ward Stephenson
Stephenson Bldg.
Orange, Texas 77630

Mr. John G. Tucker
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Gordon R. Pate
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. John D. Rienstra
Beaumont Savings Bldg.
Beaumont, Texas 77701

Mr. Ben L. Reynolds
877 San Jacinto Bldg.
Houston, Texas 77702

Mr. Charles S. Pipkin
P. O. Box 1632
Beaumont, Texas 77704

Mr. Geo. A. Weller
P. O. Box 350
Beaumont, Texas 77704

Mr. George E. Duncan
Beaumont Savings Bldg.
Beaumont, Texas 77701

Re: Claude J. Tomplait, vs. Combustion Engineering, Inc., Et Al - Civ. #5402

Gentlemen:

Order of the Court, was signed by Judge Fisher, filed and entered in the above cause as of January 3, 1968, overruling Defendants' Motions for More Definite Statement; overruling Defendants' Motions to Quash Written Interrogatories propounded by Plaintiff, and directing that said Interrogatories be answered on or before January 15, 1968, with the exception of Interrogatory No. 8 which is withdrawn by Plaintiff.

Very truly yours,

JAMES R. COONEY, CLERK

By _____
(Mrs.) Virginia R. Sons
Deputy Clerk

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KEMPER W. STEPHENSON, 1958
WARD STEPHENSON
MARLIN THOMPSON
JAMES A. MORRIS
JOHN CASH SMITH

Law offices of STEPHENSON, THOMPSON AND MORRIS

STEPHENSON BUILDING / ORANGE, TEXAS 77630

January 2, 1968

Mr. James Black
Law Clerk
Office of Judge Joe J. Fisher
United States District Court
Federal Building
Beaumont, Texas 77704

Re: Civil No. 5402, Claude J. Tomplait vs.
Combustion Engineering, Inc., et al

Dear James:

In accordance with Judge Fisher's ruling on this date, I am enclosing a form of order which overrules the defendants' motions for more definite statement, and which also overrules their motions to quash the written interrogatories propounded by the plaintiff (with the exception of Interrogatory No. 8 which is withdrawn by plaintiff). It will be very much appreciated if you will submit this order to Judge Fisher for his signature, if it meets with his approval.

I am sending a copy of this letter and a copy of the enclosed order to Messrs. Duncan and Rienstra.

Yours truly,

Ward Stephenson

WS:jb
Encl.
cc:
Mr. George Duncan (W/Encl.)
Mr. John Rienstra (W/Encl.)

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