JURY DEMAND

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL *(See Reverse), Defendant.

Attorneys: Other attorneys listed on insert sheet numbered 2-a.

for Plaintiff: Ward Stephenson, Stephenson Building, Orange, Texas 77630

Geo. E. Duncan, Beaumont Savings Bldg., Beaumont, Tex. 77701 (For Def'ts, ~~Pittsburgh Plate Glass Co.~~, and Pittsburgh Corning Corp.)

for Defendant: George A. Weller; Weller, Wheelus & Green; P.O.Box 350, Beaumont, Texas 77704 (For Deft. Fiberboard Paper Product Corp.) also Robt. G. Keith, Beaumont, Texas

John G. Tucker; Orgain, Bell & Tucker; Beaumont Savings Bldg., Beaumont, Texas 77701 (For Gustin-Bacon Mfg. Co.)

Filed December 23, 19 66 Object of suit: Damages in amount of $500,000.00 for permanent and severe injuries to plaintiff due to deleterious, poisonous and harmful substances in insulation manufactured by defendants and handled by plaintiff in his employment as an insulator.

Unarco Industries, Inc. served 8-13-68

Gustin-Bacon Mfg. Co served 1-10-67

Johns Manvill Sales Cor. served 1-11-67

Johns-Manville Fiber Glass, Inc. served 1-11-67

PROCEEDINGS:

12-23-66	Filed Complaint.
12-23-66	Issued Summonses to 10 Defendants, and mailed to U. S. Marshal, Tyler, Texas.
1-16-67	Filed Marshal's Return on Summons showing Johns Manville Products Corporation served 1-11-67
1-17-67	Filed Marshal's Returns - Summons served 1-11-67 on Eagle-Picher Industries, Inc., Fibreboard Paper Products Corp., Pittsburg Plate and Glass Co., Pittsburg Corning Corp., Owens-Coring Fiber Glass, and Combustion Engineering, Inc.
1-30-67	Filed Motion for More Definite Statement, by Defendant Gustin-Bacon Manufacturing Company.
1-30-67	Filed Fiberboard Paper Products Corporation's Motion for More Definite Statement.
1-30-67	Filed Motion of Defendant, Owens-Corning Fiber Glass Corporation, for More Definite Statement, together with JURY DEMAND.
1-30-67	Filed Motion of Defendants, Combustion Engineering, Inc., Refractory & Insulation Corp, Johns-Manville Sales Corp, et al, for More Definite Statement
2-8-67	Filed Request for Jury Trial by Defendants, Combustion Engineering, Inc., Refractory & Insulation Corporation, et al
2-14-67	Filed Motion for More Definite Statement by Defendant Eagle-Picher Industries
2-14-67	Filed Memorandum in Support of Motion for More Definite Statement
2-20-67	Order granting Defendants' Motion for More Definite Statement, signed by Judge Fisher and filed
2-20-67	Notice mailed to counsel

(Over)

FPI—LK—6-29-66—10M—6416

*John D. Rienstra; King, Sharfstein & Rienstra; 707 Beaumont Savings Bldg. Beaumont, Texas (For Owens-Corning Fiber Glass Corp.)

Gordon R.Pate, 1119 Beaumont Savings Bldg.,Beaumont,Te
For: Johns-Manville Sales Corp; Johns-Manville Prod.
77701 Corp; & Johns-Manville Fiber Glass,Inc.

Charles S. Pipkin,
P. O. Box 1632, Beaumont, Texas
For: Combustion Eng.,Inc;Refractory & Insulation Corp; ~~Johns-Manville Sales Corp; Johns-Manville Products Corp; John-Manville Fiber Glass,Inc; Pittsburgh Corning Corp; & Pittsburgh Plate Glass Co.~~

George E. Murphy, 615 San Jacinto Bldg., Beaumont, Texas
for Intervenors, Queen Ins. Co. and The Travelers Ins. Co.

Additional Defendants: R. & I. Refractor and Insulation Corp., Johns-Manville Sales Corp., Johns-Manville Products Corp., Johns-Manville Fiber Glass, Inc., Owens-Corning Fiber Glass Corp., Pittsburgh Corning Corp., ~~Gustin-Bacon Manufacturing Company, Pittsburgh Plate and Glass Company~~, Fibreboard Paper Products Corp., and Eagle-Picher Industries, Inc.

Intervenors: Texas Employers' Insurance Association; Queen Insurance Company of America; The Travelers Insurance Company

2-21-67 Filed Motion of Charles S. Pipkin for Leave to Withdraw as Attorney for Defendants Johns-Manville Sales Corporation, Johns-Manville Products Corporation, Johns-Manville Fiber Glass, Inc., Pittsburgh Corning Corporation and Pittsburgh Plate and Glass Company, (but Wishes to Remain as Attorney for Combustion Engineering, Inc. and R & I Refractor and Insulation Corporation) and Order (attached to Motion) signed by Judge Fisher Granting said Motion

2-23-67 Notified Counsel of Record

2-24-67 Letter received from Gordon R. Pate stating he represents the following: Johns-Manville Sales Corporation; Johns-Manville Products Corporation; and Johns-Manville Fiber Glass,Inc.

2-28-67 Filed letter from Attorney George E. Duncan that he is representing Defendants Pittsburgh Plate Glass Company and Pittsburgh Corning Corporation.

4-17-67 Filed Motion of Defendant, Fiberboard Paper Products Corporation, to Require Plaintiff to File Amended Pleading, or in the Alternative, to Dismiss.

4-17-67 Filed Pre-Trial Contentions of the Defendant, Fiberboard Paper Products Corporation.

4-17-67 Pre Trial Hearing Held. Case Continued for Term.

4-17-67 Filed Motion of Defendant Pittsburgh Corning Corporation to Require Plaintiff to File Amended Pleading, or in the Alternative, to Dismiss.

4-17-67 Filed Motion of Defendant Pittsburgh Plate and Glass Company to Require Plaintiff to File Amended Pleading, or in the Alternative, to Dismiss.

4-21-67 Filed Plaintiff's First Amended Complaint.

5-1-67 Filed Second Motion for More Definite Statement of Fiberboard Paper Products Corporation.

5-1-67 Filed Second Motion for More Definite Statement of Johns-Manville Sales Corp., Johns-Manville Products Corp., and Johns-Manville Fiber Glass, Inc.

5-1-67 Filed Second Motion of Defendants, Combustion Engineering, Inc., and R. and I Refractory and Insulation Corporation, for a More Definite Statement.

5-1-67 Filed Second Motion for More Definite Statement of Pittsburgh Plate and Glass Company.

5-1-67 Filed Second Motion for More Definite Statement of Pittsburgh Corning Corporation.

5-3-67 Filed Second Motion for More Definite Statement of Owens-Corning Fiberglas Corporation

~~8-28-67 Pre Trial Conference Cancelled. Case Continued for Term.~~

~~9-9-67 Filed Plaintiff's Motion to Quash Interrogatories Propounded by Defendant, Johns-Manville Sales Corporation~~

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAITT, Plaintiff,

COMBUSTION ENGINEERING INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

5-1-67 Filed Second Motion for More Definite Statement of Fiberboard Paper Products Corporation

5-1-67 Filed Second Motion for More Definite Statement of Johns-Manville Sales Corporation, et al

5-1-67 Filed Second Motion of Combustion Engineering, Inc., and R. and I Refractory & Insulation Corporation for More Definite Statement

5-1-67 Filed Second Motion for More Definite Statement of Pittsburgh Plate and Glass Company

5-1-67 Filed Second Motion for More Definite Statement of Pittsburgh Corning Corporation

5-3-67 Filed Second Motion for More Definite Statement of Owens-Corning Fiberglass Corporation

5-8-67 File to Law Clerk

5-8-67 Filed Second Motion for More Definite Statement of Gustin-Bacon Manufacturing Company. (To Law Clerk)

5-8-67 Filed Second Motion for More Definite Statement of Eagle-Picher Industries, Inc. (To Law Clerk)

5-29-67 File returned with note from Judge Fisher stating: "Information for the Clerk: The Second Motion for More Definite Statement to be ruled on at the pre-trial hearing." JJF

8-7-67 Filed Defendant's Interrogatories to Plaintiff, with respect to Johns-Manville Sales Corp.

8-7-67 Filed Defendant's Interrogatories to Plaintiff, with respect to Johns-Manville Products Corp.

8-7-67 Filed Defendant's Interrogatories to Plaintiff, with respect to Johns-Manville Fiber Glass, Inc.

(Continued Over)

FPI—LK—6-29-66—10M—6416

8-7-67 Letter to counsel that case continued for term per instructions from Judge Fisher

8-15-67 Filed Motion of Texas Employers' Insurance Association for Leave to Intervene

8-29-67 Filed Order granting Motion for Leave to Intervene, signed by Judge Fisher.

8-29-67 Filed Complaint in Intervention of Texas Employers' In surance Association (attorneys notified)

8-28-67 Pre Trial Conference Cancelled. Case Continued for Term

9-9-67 Filed Plaintiff's Motion to Quash Interrogatories Propounded by Defendant, Johns-Manville Sales Corporation

9-14-67 Filed Motion of Queen Insurance Company of America for Leave to Intervene.

9-14-67 Order granting Motion of Queen Ins. Co. of America Leave to Intervene, signed by Judge Fisher and filed.

9-14-67 Filed Complaint in Intervention of Queen Insurance Company of America. (attorneys notified)

9-25-67 Filed Motion of The Travelers Insurance Company, for Leave to Intervene.

9-26-67 Filed Order granting Motion for Leave to Intervene, signed by Judge Fisher.

9-26-67 Filed Complaint in Intervention of The Travelers Insurance Company.

9-27-67 Attorneys notified. (missing on return of case 2/91 B Rust)

11-3-67 Filed Plaintiff's Interrogatories Propounded to Defendants

11-9-67 Filed OBJECTIONS OF DEFENDANTS, Combustion Engineering, Inc. and R & I Refractor and Insulation Corp. to Interrogatories under Rule 33, and **MOTION TO STRIKE**; and NOTICE OF HEARING OF OBJECTIONS TO INTERROGATORIES AND MOTION TO STRIKE.

11-13-67 Filed OBJECTIONS of Owens-Corning Fiberglas Corp. TO INTERROGATORIES; OBJECTIONS OF DEFENDANT, EAGLE-PICHER INDUSTRIES, INC. to Interrogatories under Rule 33, and MOTION TO STRIKE, and NOTICE OF HEARING OF OBJECTIONS TO INTERROGATORIES and MOTION TO STRIKE; OBJECTIONS OF DEFENDANTS, JOHNS-MANVILLE SALES CORP., JOHNS-MANVILLE PRODUCTS CORP. and JOHNS-MANVILLE FIBER GLASS, INC. to INTERROGATORIES OF PLAINTIFF; OBJECTIONS OF DEFENDANT, Fiberboard Paper Products Corp. TO INTERROGATORIES OF PLAINTIFF.

11-13-67 Filed PLAINTIFF'S REPLY TO OBJECTIONS TO INTERROGATORIES of Defendant OWENS-CORNING FIBERGLAS CORP.

11-15-67 Filed Objections of Gustin-Bacon Manufacturing Company to Interrogatories

11-21-67 Filed Objections of Defendant, Pittsburgh Corning Corporation, to Interrogatories of Plaintiff.

11-21-67 Filed Objections of Defendant, Pittsburgh Plate and Glass Company, to Interrogatories of Plaintiff.

12-4-67 Ltr to Counsel by Judge's Law Clerk that, at Mr. Stephenson's request, parties given 20 days extension from 12/8/67 to file their respective briefs.

12-28-67 Filed Plaintiff's Brief.

12-28-67 Filed Brief on Behalf of All Defendants.

1-2-68 Filed Plaintiff's Reply to Defendants' Brief.

1-3-68 Filed Deposition of Claude J. Tomplait

1-2-68 PRE TRIAL CONFERENCE HELD IN CHAMBERS. SET FOR TRIAL JAN. 29, 1968, SUBJECT TO COURTS ACTION ON MOTIONS. OVERRULED DEFT'S MOTION FOR MORE DEFINITE STATEMENT. PARTIES WILL BE PERMITTED TO FILE S/J BY JAN. 15 . RULING TO BE MADE BY JAN. 22. DEFT"S TO SUBMIT THEIR CONTENTIONS TO PLAINTIFF BY JAN. 15 and PLTF. TO SUBMIT PRE TRIAL ORDER BY JAN. 15. DEFT'S

JURY DEMAND

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

1-2-68 (Cont'd from Prev. Page) HAVE 'TIL 1/22 to FILE ANSWERS.

1-3-68 Order of the Court, signed by Judge Fisher and filed, overruling Defendants' Motions for More Definite Statement; overruling Defendants' Motions to Quash Written Interrogatories propounded by the Plaintiff, and directing them to answer said Interrogatories with exception of No. 8, which was withdrawn by Plaintiff, on or before Jan. 15, 1968. Attorneys notified.

1-5-68: Filed Interrogatories propounded to Plaintiff on behalf of Defendant.

1-8-68: Filed Defendant Gustin-Bacon Manufacturing Company Answer to Interrogatories Propounded by Plaintiff.

1-10-68: Filed Answers of Defendant Fibreboard Paper Products Corp., to Interrogatories Propounded by Plaintiff.

1-10-68: FIled Answer of Defendant, Fibreboard Paper Products Corp., to Plaintiff's First Amended Complaint.

1-11-68 Filed Motion for Summary Judgment on Behalf of Defendant, Johns-Manville Sales Corporation.

1-11-68 *ORDER granting Motion for Summary Judgment on Behalf of Defendant, Johns-Manville Sales Corporation, and dismissing the complaint as to said Defendant; signed by Judge Fisher and filed. Attorneys notified.

1-15-68 Filed Motion for Extension of Time to Answer Interrogatories, on behalf of Defendants Owens-Corning Fiberglas Corporation, Et Al.

1-15-68 Filed Original Answer of Defendant, Eagle-Picher Industries, Inc. to Plaintiff's First Amended Complaint.

1-15-68 Filed Motion for Summary Judgment on Behalf of Defendant, Eagle-Picher Industries, Inc.

1-15-68 Filed Original Answer of Defendant, Owens-Corning Fiberglas Corporation.

FPI—LK—6-29-66—10M—6416

1-15-68 Filed Motion of Defendant, Owens-Corning Fiberglas Corporation, for Summary Judgment.

1-15-68 ORDER granting Defendants' Motion for Extension of Time to Answer Interrogatories, granting 30 additional days from Jan. 15, 1968 within which to Answer, and ordering that in answering, Defendants need not precede the Year 1959; signed by Judge Fisher and filed. Attorneys notified.

1-15-68 Filed Answer of the Defendant, Gustin-Bacon Manufacturing Company to Plaintiff's First Amended Complaint.

1-15-68 Filed Motion of Defendant, Gustin-Bacon Manufacturing Company, for Summary Judgment, with proposed Order Setting Hearing on Motion.

1-15-68 Filed Cross-Interrogatories Propounded by Gustin-Bacon Manufacturing Company to Dr. Irving J. Selikoff.

1-16=68 Filed Answer of Pittsburgh Plate & Glass Company to Plaintiff's First Amended Complaint

1-15-68 Filed Motion for Summary Judgment by Defendants, Combustion Engineering,Inc., & R & I Refractory & Insulation Corporation

1-15-68 Filed Answer to First Amended Complaint by Defendants, Combustion Engineering, Inc., & R & I Refractory & Insulation Corporation

1-15-68 Filed Original Answer to Plaintiff's First Amended Complaint by Defendants, Johns-Manville Products Corporation and Johns-Manville Fiber Glass,Inc.

1-15-68 Filed Motion for Summary Judgment by Defendants, Johns-Manville Products Corporation, and Johns-Manville Fiber Glass, Inc. (Order for Hearing also)

1-15-68 Filed Motion for Summary Judgment by Defendant, Fiberboard Paper Products Corporation (Also Order for Hearing)

1-15-68 Filed Motion by Fibreboard Paper Products Corporation for creation of Common File of Exhibits and Affidavits in connection with Motion for Summary Judgment (Also Order enclosed & Exhibits enclosed)

1-16-68 Filed Motion for Summary Judgment by Pittsburgh Corning Corporation (Order Also)

1-16-68 Filed Answer of Pittsburgh Corning Corporation to Plaintiff's First Amended Complaint

1-16-68 Filed Motion for Summary Judgment by Pittsburgh Plate Glass Company (Also Order)

1-17-68 Filed Cross-Interrogatories to Dr. Irving J. Selikoff by Defendants, Combustion Engineering,Inc. & R & I Refractory & Insulation Corporation

1-17-68 Filed Plaintiff's Answers to Interrogatories propounded by Defendant, Owens-Corning Fiberglass Corporation of Exhibits

1-18-68 Order granting Defendants to create a COMMON FILE/in connection with Motion for Summary Judgment, signed by Judge Fisher and filed

1-18-68 Filed Defendants Index of Exhibits containing 10 Exhibits to be used in Motion for Summary Judgment (Placed in Common File)

1-22-68 Filed Affidavit of George Henderson to be considered in connection with Motion for Summary Judgment in Behalf of Fibreboard Paper Products Corporation (placed in common file)

1=22-68 Filed First Supplemental Answer of Defendant, Fibreboard Paper Products Corporation

1=22-68 Filed First Supplemental Answer of Defendant, Eagle-Picher Industries, Inc.

1-29-68 IN OPEN COURT, COURT ANNOUNCED THAT CASE CONTINUED

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed ____, 19__ Object of suit:

PROCEEDINGS:

2-14-68 Filed Answers to Interrogatories Propounded by Plaintiff, of the following Defendants:
Johns-Manville Products Corp.
Johns-Manville Fiber Glass Inc.
Combustion Engineering, Inc. and R & I Refractory and Insulation Corporation.
Owens-Corning Fiberglas Corporation.

2-15-68 Filed Answers of the Defendant, Eagle Picher Industries, Inc., to Interrogatories Propounded by Plaintiff.

2-19-68 Filed Answers of Defendant, Pittsburgh Corning Corporation to Interrogatories Propounded by Plaintiff.

2-19-68 Filed Answers of Defendant, Pittsburgh Plate Glass Company to Interrogatories Propounded by Plaintiff.

3-7-68 Filed Interrogatories Propounded to Defendant Eagle-Picher Industries, Inc.

3-7-68 Filed Interrogatories Propounded to Defendant Owens-Corning Fiberglas.

3-7-68 Filed Interrogatories Propounded to R & I Refractory and Insulation Corporation and Combustion Engineering, Inc.

3-7-68 Filed Interrogatories Propounded to Defendant Pittsburgh Corning Corporation.

4-8-68 Filed ANSWERS of Defendants, COMBUSTION ENGINEERING, INC., and R & I REFRACTORY AND INSULATION CORPORATION, to INTERROGATORIES under RULE 33, Federal Rules of Civil Procedure.

4-10-68 Filed Plaintiff's Notice and INTERROGATORIES to be propounded to office manager or other officer of The Aber Company, Inc.

4-12-68 Filed Plaintiff's Notice and Interrogatories to be propounded to Office Manager of Johns-Manville Sales Corporation

4-18-68 Filed ANSWER of OWENS-CORNING FIBERGLAS CORPORATION to Second Set of Interrogatories.

FPI—LK—6-29-68—10M—6418

4-19-68 Filed Third Set of Interrogatories Propounded to Defendant Owens-Corning Fiberglas Corporation.

4-23-68 Filed Cross-Interrogatories to be Propounded to Office Manager of The Aber Company, Inc. in Behalf of Defendant, Gustin-Bacon Mfg. Co.

5-3-68 Filed INTERROGATORIES to be Propounded by Plaintiff to the following: (9 instruments)

(1) Paul E. Petrofsky, Pres. of Aber Company
(2) Office Manager of Triangle Insulation Co.
(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-Mansville Sales Corporation
(9) Office Manager of Brooks-Fisher Insulating Company

4-29-68 Pre Trial Held. Select Jury May 27 for trial that week. P/T Order to be filed May 20.-each side gets 5 strikes. Deft's Motion for S/J held in Abeyance.

5-6-68 Filed Answers of Defendant Eagle-Picher Industries, Inc., to Second Set of Interrogatories Propounded by Plaintiff.

5-6-68 Filed Interrogatories of Eagle-Picher Industries, Inc., addressed to Plaintiff.

5-7-68 Filed Owens-Corning Fiberglas Corporation's Answer to Third Set of Interrogatories.

5-8-68 Filed ANSWERS of Paul E. Petrofsky, to Direct and Cross Interrogatories propounded by Plaintiff.

5-8-68 Filed ANSWERS of Harold C. Driemeier to Direct Interrogatories propounded by Plaintiff.

5-9-68 Filed Plaintiff's Notice of Motion and Motion for Leave to Amend Complaint, attaching Amended Complaint.

5-13-68 Filed Additional Brief on the Question of the Two Year Statute of Limitations, filed on behalf of Fibreboard Paper Products Corporation and the other Defendants. (Orig. to Judge Fisher)

5-15-68 ORDER granting Plaintiff's Motion for leave to file Second Amended Complaint, signed by Judge Fisher and filed. Attorneys notified.

5-15-68 Filed Plaintiff's Second Amended Complaint.

5-16-68 Filed Objections of Defendants, Johns-Manville Products Corporation and Johns-Manville Fiber Glass, Inc., to Motion of Plaintiff for Leave to Amend Complaint.

5-17-68 Letter to Plaintiff's Attorney that if other attorneys have no objection, he may include in amended complaint an allegation of res ipsa loquitur

5-17-68 Filed ANSWER of Defendant, Gustin-Bacon Manufacturing Company, to Plaintiff's Second Amended Complaint.

5-17-68 Filed ANSWER to Cross-Actions.

5-17-68 Filed ANSWER of Gustin-Bacon Manufacturing Company to Interventions.

5-21-68 Filed Defendant's AMENDED ANSWER to Plaintiff's Second Amended Complaint. (Owens-Corning Fiberglas Corporation)

5-21-68 Filed Defendant's ANSWER to Cross-Actions.

5-21-68 Filed Defendant's Answer to Interventions.

5-21-68 Filed ANSWER of Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Plaintiff's Second Amended Complaint.

5-21-68 Filed ANSWER TO CROSS-ACTIONS of Combustion Engineering, Inc. and R and I Refractory and Insulation Corporation.

5-21-68 Filed ANSWER of Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Interventions.

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

5-22-68: Filed ANSWERS of Claude J. Tomplait to Written Interrogatories of Eagle-Picher Industries, Inc.

5-22-68: Gordon Pate telephoned Rosalie to advise that Judge Fisher has continued this case until September 23, 1968 10:00. Mr. Pate told Rosalie that Judge told him to notify other Counsel.

5-20-68 Filed Defendant Johns-Manville Products Corporation's Motion to Quash subpoena served by Plaintiff.

5-23-68 Filed Pre-Trial Stipulation and Order, signed by Judge Fisher. Attorneys notified.

5-23-68 Filed ANSWER of Johns-Manville Products Corporation to Interventions.

5-23-68 Filed ANSWER of Johns-Manville Fiber Glass, Inc., to Interventions.

5-23-68 Filed ANSWER of Johns-Manville Fiber Glass, Inc., to Cross-Actions.

5-23-68 Filed ANSWER of Johns-Manville Products Corporation, to Cross-Actions.

5-23-68 Filed ANSWER of Defendant Pittsburgh Corning Corporation to Plaintiff's Second Amended Complaint.

5-23-68 Filed ANSWER of Pittsburgh Corning Corporation to Cross-Actions.

5-23-68 Filed ANSWER of Pittsburgh Corning Corporation to Interventions.

5-24-68 Filed Written DEPOSITION of J. J. Hoard (Taken by Pltf), original only.

5-24-68 Filed ANSWER of Defendant, Johns-Manville Fiber Glass, Inc. to Plaintiff's Second Amended Complaint.

5-24-68 Filed ANSWER of Defendant, Johns-Manville Products Corp., to Plaintiff's Second Amended Complaint.

FPI—LK—6-29-66—10M—6416

5-27-68: Filed First Amended ANSWER of Defendant, Fibreboard Paper Products Corporation, to Plaintiff's Second Amended Complaint.

5-27-68: Filed Motion to Quash Service of Subpoena served upon attorney for Fibreboard Paper Products Corporation. Sent Motion Letter.

5-27-68 Filed Motion for Summary Judgment on the Main Action and on the Cross Actions of the Defendant, Gustin, Bacon Mfg. Co.

5-29-68 Filed Notice of Motion and Plaintiff's MOTION FOR DISCOVERY.

5-29-68 Filed Plaintiff's Notice and Interrogaties to be Propounded to Dr. Stanton P. Fischer.

5-29-68 Filed Plaintiff's Interrogatories Propounded to Defendants, Combustion Engineering, Inc., et al.

5-29-68 Filed Plaintiff's Interrogatories Propounded to Defendant, Pittsburgh Corning Corporation.

5-29-68 Filed Plaintiff's MOTION in LIMINE and ORDER granting said Motion.

6-3-68 Filed Defendants' Objections to Interrogatories Propounded by Plaintiff to Dr. Stanton P. Fischer, with proposed Order.

6-3-68 Filed Cross-Interrogatories of Defendants to be Propounded to Dr. Stanton P. Fischer.

6-4-68 Filed Motion of Defendants to Issue a Subpoena to the Administratrix of the Orange Memorial Hospital to Require Production of X-Rays, with proposed Order.

6-4-68 Filed Objections of Defendant, Fibreboard Paper Products Corporation to Interrogatory, with proposed Order.

6-4-68 Filed Defendant, Fibreboard Paper Products Corporation's Motion to Limit and Restrict Plaintiff's Motion for Discovery, with proposed Order.

6-4-68 Filed Defendant Owens-Corning Fiberglas Corporation's Objection to Interrogatory.

6-4-68 Filed Answers to Direct Interrogatories, of R. C. Abrahams (Orig.)

6-4-68 Filed Answers to Direct Interrogatories, of William O. Daily.(Orig.)

6-4-68 Filed Answers to Direct Interrogatories, of Harold C. Driemeier. (Orig.)

6-4-68 Filed Answers to Direct Interrogatories, of Edmund L. Hines. (Orig.)

* 6-4-68 Filed Answers to Direct Interrogatories, of Paul E. Petrofsky.(Orig.

6-6-68 Filed Plaintiff's Objections to Cross-Interrogatories Propounded by Defendants to Dr. Stanton P. Fischer, with proposed Order.

* **6-5-68 Filed Objections of Defendants, Combustion Engineering, Inc. and R & I Refractory and Insulation Corporation, in Opposition to Motion for Discovery.**

6-5-68 Filed Objections of Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation, to Interrogatory under Rule 33, and Motion to Strike.

6-6-68 Filed Motion to Limit and Restrict Plaintiff's Motion for Discovery (filed by Pittsburgh Plate Glass Co)

6-6-68 Filed Objections of Defendants, Pittsburgh Plate Glass Company and Pittsburgh Corning Corporation to Interrogatories Propounded by Plaintifff.

6-6-68 Filed Motion for Summary Judgment on the Main Action and on the Cross-Action of the Defendant, Pittsburgh Plate Glass Company.

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

6-6-68	ORDER that Mrs. Bess Scofield, Administratrix of Orange Memorial Hospital, produce certain records, and that Clerk of Court issue a subpoena duces tecum commanding that such records be produced; signed by Judge Fisher and filed. Attorneys notified.
6=7-68	Issued subpoena duces tecum to Mrs. Bess Scofield, attaching certified copy of above Order, and handed to Attorney Geo. Weller.
6-6-68	ORDER denying Defendants' Objections to Interrogatories Nos. 7 and 8 propounded to Dr. Stanton P. Fischer by Plaintiff; signed by Judge Fisher and filed. Attorneys notified.
6-6-68	ORDER denying Plaintiff's objections to Cross-Interrogatory No. 13 propounded by Defendants to Dr. Stanton P. Fischer; signed by Judge Fisher and filed. Attorneys notified.
6-7-68	Filed Plaintiff's Reply to Motion to Limit Plaintiff's Motion for Discovery, with proposed Order attached.
6-7-68	Filed Defendant, Johns-Manville Products Corporation's Objections to Plaintiff's Motion for Discovery and Motion to Limit and Restrict Same.
6-7-68	Filed Reply of Johns-Manville Fiber Glass, Inc., to Plaintiff's Motion for Discovery.
6-7-68	Filed Motion for Summary Judgment on the Main Action and on the Cross-Actions of the Defendant, Johns-Manville Fiber Glass, Inc., with proposed Order attached.
6-7-68	Filed Objection by Johns-Manville Products Corporation to single Interrogatory of Plaintiff
6-7-68	Filed Objection by Johns-Manville Fiber Glass, Inc., to single Interrogatory of Plaintiff.

FPI—LK—6-29-66—10M—6416

6-10-68: Filed Motion to Limit and Restrict Plaintiff's Motion for Discovery.

6-11-68: Filed ANSWERS of Defendant, Gustin-Bacon Manufacturing Company, to Second Set of Interrogatories Consisting of Interrogatory 1 Propounded to Defendants.

6-11-68: Filed Affidavit and Argument in Support of Motion for Summary Judgment of Gustin-Bacon Manufacturing Company.

6-13-68 Filed Plaintiff's Application to the Court for permission to have his Reply to Fiberboard Paper Products' Motion to Limit Plaintiff's Motion for Discovery, taken as his reply to the other motions to limit. Attaches proposed Order.

6-13-68 Filed Plaintiff's Answer to Motions for Summary Judgment, with attached Motion that Defendants produce a list of doctors who might testify on their behalf and general nature of testimony expected. Proposed Order attached.

6-14-68 Filed Plaintiff's Notice of Motion and Motion for Leave to Amend Complaint, attaching proposed Order.

6-14-68 ORDER of the Court, signed by Judge Fisher and filed, ordering that Plaintiff's Reply to Motion to Limit Plaintiff's Motion for Discovery filed by Fiberboard Paper Products Corporation also be taken as his reply to other Motions to Limit. Attorneys notified.

6-14-68 ORDER granting Plaintiff's Motion attached to his Answer to Motions for Summary Judgment, and ordering Defendants to produce list of doctors on or before 15 days from this date; signed by Judge Fisher and filed. Attorneys notified.

6-14-68 ORDER Setting Hearing on Plaintiff's Motion for Discovery, for July 12, 1968, at 10:00 a.m.; signed by Judge Fisher and filed. Attorneys notified.

6-14-68 Ned advises all pending motions to be heard at 10:00 a.m. on July 12, 1968. Bert to notify attorneys. (Bert did so)

6-18-68 Filed Motion of Defendant, Fibreboard Paper Products Corporation, for Extension of Time Within Which to Reply to Plaintiff's Answer to Motions for Summary Judgment, with proposed Order.

6-20-68 Order granting 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, signed by Judge Fisher & filed

6-25-68 Filed Gustin-Bacon Manufacturing Co.'s Designation of Doctors Who Might Testify in Behalf of Defendant, Gustin-Bacon Mfg. Co.

6-27-68 Filed Answers of Pittsburgh Corning Corporation to the Third Set of Interrogatories Propounded by the Plaintiff.

6-28-68 Filed Reply of Owens-Corning Fiberglas Corporation to Order to List **Medical Witnesses**

6-28-68 Filed **Johns-Manville Fiber Glass, Inc.'s Designation of Doctors Who Might Testify Pursuant to Court Order Dated June 14, 1968.**

6-28-68 Filed Johns-Manville Products Corporation's Designation of Doctors Who Might Testify Pursuant to Court Order Dated June 14, 1968.

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed ....., 19.... Object of suit:

PROCEEDINGS:

7-1-68 Answer of Fibreboard Paper Products Company to Order of the Court of June 14, 1968, filed.

7-1-68 Filed Answer of Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Order to List Medical Witnesses.

7-2-68 Filed Answers to Direct Interrogatories, of David Russell, Jr. (Orig.)

7-8-68 ORDER granting Plaintiff leave to file Third-Amended Complaint, signed by Judge Fisher and filed

7-8-68 Filed Plaintiff's THIRD AMENDED COMPLAINT

7-9-68 Filed Eagle-Picher Industries, Inc. Designation of Doctors Who Might Testify, pursuant to Court Order of 6-14-68.

7-12-68 10:00 AM - Hearing held in Open Court before Judge Fisher on Pending Motions Mr. Duncan asks permission to Implead Union Asbestos Co.-- Permission Granted. Court grants motion to Dismiss as to those Companies who do not manufacture Asbestos Products with the understanding that the suit may be reinstated if it is brought to the attention of the Court that there is some serious contention on the part of any of the defendants that Plaintiff's condition is other than that caused by working with asbestos products. The Court would suggest that Counsel have a conference with each other pertaining to Plaintiff's Motion for Discovery to try to simplify the issues down to a simple issue. Counsel given until September 3 to do this. The Court will also rule on the motion to submit the matter of limitation to the Fifth Circuit as soon as the motion is filed and not later than Wednesday of next week. Other matters pertaining to the exceptions to the Complaint-- the Court feels that it is not necessary to make a ruling at this time. The Court will permit the interrogation of Dr. Fisher. Mr. Weller requests X-Rays from Mr. Stephenson. Court says that this comes under Discovery Motion.

7-11-68 Filed Amended Answer of Defendant, Owens-Corning Fiberglass Corporation, to Plaintiff's Third Amended Complaint

(Over)

FPI—LK—6-29-66—10M—6416

of Defendant Fibreboard Paper Products Corp.

7-12-68 Filed Reply to Objections of Plaintiff to Cross-Interrogatories Propounded by Defendants to Dr. Stanton P. Fischer

7-12-68 Filed Reply of Defendant and Third-Party Plaintiff, Fibreboard Paper Products Corporation, to Motions of Gustin-Bacon Manufacturing Company, Pittsburgh Plate Glass Company and Johns-Manville Fiber Glass, Inc., for Summary Judgment, as well as Reply to the Answer of Plaintiff to the Motions for Summary Judgment

7-12-68 Filed Motion of Defendant, Fibreboard Paper Products Corporation, to Strike Certain Claims Contained in Plaintiff's Third Amended Complaint

7-12-68 Filed Answers to Direct and Cross Interrogatories of Dr. Stanton P. Fischer (X-Rays that belong with this Instrument are on top of file cabinets in Room 213A)

7-17-68 Filed Designation of Doctors who might testify pursuant to Court Order dated June 14, 1968, by Pittsburgh Corning Corporation

7-17-68 Filed Answer of Combustion Engineering, Inc.,; R & I Refractory; and Insulation Corporation to Plaintiff's Third Amended Complaint

7-17-68 Filed MOTION of Combustion Engineering, Inc., R & I Refractory; and Insulation Corporation; Johns-Manville Products Corporation; Pittsburgh Corning Corporation; Fibreboard Paper Products Corporation; Owens-Corning Fiberglas Corporation; and Eagle-Picher Industries, Inc., for Certification of Controlling Question of Law under Title 28, Judiciary & Judicial Procedure, Chapter 83, Sec. 1292(b)

7-17-68 Filed BRIEF in Support of Defendants' Motion to Certify under Title 28

7-17-68 ORDER GRANTING MOTION FOR SUMMARY JUDGMENT by Pittsburgh Plate Glass Company; dismissing action against Pittsburgh Plate Glass Company, with each party to bear its own costs, signed by Judge Fisher and filed

7-17-68 ORDER GRANTING MOTION FOR SUMMARY JUDGMENT by Johns-Manville Fiber Glass, Inc., and dismissing action as to this Defendant, signed by Judge Fisher and filed

7-17-68 ORDER GRANTING MOTION FOR SUMMARY JUDGMENT by Gustin-Bacon Manufacturing Company, and Plaintiff and Intervenors to recover nothing from this Defendant, signed by Judge Fisher and filed

7-18-68 ORDER granting PITTSBURGH CORNING CORPORATION leave to file Third-Party Complaint impleading UNARCO INDUSTRIES, INC., signed by Judge Fisher and filed

7-18-68 Filed Plaintiff's Motion to Strike Certain Portions of Written Interrogatories of Dr. Stanton P. Fischer (Also Order)

7-19-68 Filed Third-Party Complaint of Pittsburgh Corning Corporation against Unarco Industries, Inc.

7-19-68 Issued Third-Party Summons to Unarco Industries, Inc., through Sec. of State and mailed to U. S. Marshal, Tyler, Texas with Check #1042, in the amount of $5.00, payable to Sec. of State of Texas, signed by George E. Duncan

7-19-68 Filed Answer of Pittsburgh Corning Corporation to Plaintiff's Third Amended Complaint

7-23-68 Filed Plaintiff's Reply to Defendant's Motion for certification of a controlling question of law under Title 28, ~~xxxxx~~ Judiciary and Judicial Procedure, Chapter 83, Section 1292(b).

7-24-68 Filed First Amended Answer of Defendant, Fibreboard Paper Products Corporation, to Plaintiff's Third Amended Complaint.

7-24-68 Filed Answer of Defendant, Johns-Manville Products Corporation, to Plaintiff's Third Amended Complaint.

(Contd)

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff: Ward Stephenson, Orange, Texas

for Defendant: Geo. E. Duncan, Bmt. Savings Bldg., Beaumont, Texas 77701
Geo. A. Weller, Robert Q. Keith, John G. Tucker, John D. Rienstra, Gordon R. Pate, Chas. S. Pipkin, Geo. E. Murphy.

Filed ....., 19.... Object of suit: .....

PROCEEDINGS:

7-24-68 Filed Reply of Defendant, Fibreboard Paper Products Corporation, to Plaintiff's Motion to Strike Certain Portions of Written Interrogatories Directed to Dr. Stanton P. Fischer

7-26-68 ORDER DENYING Defendants' Motion for Certificate of a Controlling Question of Law under Title 28, Judiciary and Judicial Procedure, Chapter 83, Sec. 1292(b), signed by Judge Fisher and filed

7-26-68 Certified copies of ORDER mailed to counsel

8-13-68 Filed Request for Admissions by Defendant, Fibreboard Paper Products Corp. directed to Plaintiff, Claudm J. Tomplait.

8-13-68 Filed Interrogatories propounded by Defendant, Fibreboard Paper Products Corp. to Plaintiff.

8-13-68 Filed Answer of Defendant, Fibreboard Paper Products Corp. to Interrogatory and Motion for Discovery.

8-22-68 Filed Answer of Combustion Engineering, Inc., and R and I Refractory and Insulation Corporation to Interrogatory and Portion of Motion for Discovery.

8-26-68 Filed Answer of Defendant, Johns-Manville Products Corporation, to Motion for Discovery.

8-26-68 Filed Answer of Defendant, Johns-Manville Products Corporation, to Second Set of Interrogatories Consisting of Interrogatory 1 Propounded to Defendants.

8-27-68 Filed Answer of Defendant, Pittsburgh Corning Corporation, to Interrogatory and Motion for Discovery.

8-27-68 Filed Defendant, Eagle Picher Industries, Inc.'s Notice of Taking Deposition of Joe Shrode.

FPI—LK—6-29-66—10M—6416

9-4-68 Filed Answer of Defendant Eagle-Picher Industries Inc. to Interrogatories and Motion for Discovery

9-4-68 Filed Plaintiff's Answers to Written Interrogatories Propounded by Defendant Fiberboard Paper Products Corporation.

9-10-68 Filed Supplemental Answer of Defendants, Combustion Engineering, Inc., and R and I Refractory and Insulation Corporation, to Motion of Plaintiff For Discovery.

9-11-68 Letter to Counsel by Judge's Secretary, advising cause has been continued for the term, and will be given preferential setting in the January term, 1969.

8-29-68 ORDER on Plaintiff's Motion for Discovery, signed by Judge Fisher and filed. Attorneys notified, 9-13-68.

9-16-68 Filed ANSWER of UNARCO INDUSTRIES, INC., to Third Party Complaint.

9-20-68 Filed Plaintiff's Answer to Request for Admissions.

9-24-68 Filed DEPOSITION of Joseph Ralph Shrode.

10-21-68 Filed ANSWER of Defendant Owens-Corning Fiberglas Corporation to Second Set of Interrogatories Consisting of Interrogatory 1 Propounded to defendants.

10-21-68 FiledANSWER of Defendant Owens-Corning Fiberglas Corporation to Plaintiff's Motion for Discovery.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of F. H. EDWARDS, Owens-Corning Fiberglas Corp.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of HARRY P. HOOPES, Fibreboard Paper Products Corp.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of DR. LEE B. GRANT, Pittsburgh Corning Corp.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of DR. E. F. MURPHY, Combustion Engineering, Inc. and R & I Refractory & Insulation Corp.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of M. C. PARMLEY, Johns-Manville Products Corp.

10-30-68 Filed NOTICE of DEPOSITION, with copy of Interrogatories attached, of HERMAN L. HUELSTER, Eagle-Picher Industries, Inc.

11-4-68 Filed Plaintiff's Motion to Require Defendant Eagle-Picher Industries, Inc. to Answer Interrogatory No. 4

11-22-68 Filed ORDER signed by Judge Fisher Granting Plaintiff's Motion to Require Defendant Eagle-Picher Industries, Inc. to Answer Written Interrogatory No. 4, and Said Defendant Shall Answer Within 10 days from date of this Order. Notified Counsel

11-27-68 Filed Notice to take written Interrogatories of Arthur J. Santry, Jr., President, Combustion Engineering, Inc., together with copy of written interrogatories.

11-27-68 Filed Motion of Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation, for Leave to Serve Amended Answer to Third Amended Complaint. (With proposed Order and Proposed Amended Answer.)

11-21-68 Filed DEPOSITION of DR. EDWARD F. MURPHY, Windsor, Connecticut.

11-29-68 Filed INTERROGATORIES Propounded to F. H. EDWARDS, Owens-Corning Fiberglas Corp., Toledo, Ohio.

12-3-68 ORDER Granting Leave to Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation, to Serve Amended Answer to Third Amended Complaint; signed by Judge Fisher and filed. Attorneys notified.

12-3-68 Filed First Amended Original Answer of Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Plaintiff's Third Amended Complaint.

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff: Ward Stephenson, Orange, Texas

for Defendant: Geo. E. Duncan, Bmt.Savings Bldg., Beaumont, Texas
Geo. A. Weller, Robert Q.Keith,John G. Tucker, John D.Rienstra, Gordon R. Pate, Chas. S. Pipkin, Geo. E. Murphy

Filed , 19 Object of suit:

PROCEEDINGS:

12-9-68 Filed ANSWERS to Interrogatories propounded to Herman L.Huelster (Original only received from court reporter)

12-12-68 Filed SUPPLEMENTAL ANSWER to Interrogatory of Defendant Eagle-Picher Industries, Inc.

12-17-68 Pre Trial Hearing Held. Jury. to ~~XXXXXXXXXXXXXXXX~~ 6 Defts. get 9 strikes. Pltf. get 6 strikes. Motion of Pltf. for Deft to identify who will be co. representative at trial to be entd. by 1/6/69. Defts. to decide upon 2 to conduct main defense at trial. Plan to be submitted by 1/6/69. Feb. 2, 1969 cut-off date for further discovery, motions, pleadings. Motion for discovery of products containing asbestos to be identified by name & manufacturer granted only to extent that product to be identified sufficiently to identify defendant from which it came--by Jan. 6. SET FOR TRIAL MARCH 24, 1969, 10:00 A.M. ~~specially, xxxxxxxxxx~~

1-2-69: Filed ANSWERS to Direct INTERROGATORIES of M. C. PARMLEY.

1-7-69 Received from Royston, Rayzor & Cook 3 samples of products of Eagle-Picher Industries, Inc., numbered as follows: 003826; 000259; and 17569 - put in back in big box containing products of other industries in case. mcv

1-3-69 Received copy of letter from Gerald P. Coley to Ward Stephenson, advising name of company representative for trial of case, for Unarco Industries, Inc.

1-6-69 Received copy of letter from Gordon R. Pate to Ward Stephenson advising name of company representative for Johns-Manville Products, for trial of case.

1-6-69 Received copy of letter from Charles S. Pipkin to Ward Stephenson, naming company representative for Combustion Engineering, Inc. and R and I Refractory & Ins. Corp., for trial of case. Also identifies samples placed in Clerk's Office.

1-6-69 Received copy of letter from Geo. Weller to Judge Fisher, identifying products filed with the Clerk by Fibreboard Paper Products Corp.

FPI—LK—6-29-66—10M—6416

1-6-69 Filed Answers to Interrogatories Propounded to Dr. Lee B. Grant.

1-7-69 Received copy of letter from Gordon Pate to Ward Stephenson, identifying samples of Johns-Manville Products Corp.

1-7-69 Received copy of letter from Geo. A. Weller to Judge Fisher, on behalf of all attorneys for defendants, stating they are unable to agree on two attorneys to conduct trial on behalf of all defendants.

1-7-69 Received copy of letter from Geo. Weller to Ward Stephenson, naming representative of Fibreboard Paper Products Corp. for trial of case.

1-8-69 Filed Plaintiff's Motion to Include Unarco Industries, Inc. as Defendant. (Now in case as Third-Party Defendant)

1-6-69 Received copy of letter from Judge Fisher to Mr. Charles S. Pipkin, extending time within which to file deposition of Arthur J. Santry, Jr. until 1-13-69.

1-7-69 ORDER of the COURT signed by Judge Fisher and filed, wherein defendants, who have not already done so, are ordered to submit to plaintiff's attorney within 1 week the name and address of the company representative who will be assisting in the trial.

1-8-69 Attorneys notified of Order.

1-8-69 Filed Notice to take the Written Interrogatories of A. S. Arwin, together with attached interrogatories, propounded by Plaintiff.

1-13-69 Filed DEPOSITION of HARRY P. HOOPES (Answers to Interrogatories.)

1-17-69 Filed Defendant Unarco Industries, Inc.'s Response to Plaintiff's Motion to Include Unarco Industries as Defendant.

1-22-69 ORDER of the Court on Motion to Include Unarco Industries, Inc. as Defendant, signed by Judge Fisher and filed, granting Motion, without necessity of filing entire Amended Complaint, but may implead Unarco Industries by addendum and supplemental pleading to Third Amended Complaint. Unarco Industries to have 20 days from this date to file Answer. Attorneys notified.

1-27-69 Filed SUPPLEMENT to Plaintiff's THIRD AMENDED ORIGINAL COMPLAINT, making UNARCO INDUSTRIES, INC. an additional defendant.

2-4-69 Filed ANSWER of Defendant, UNARCO INDUSTRIES, INC., to Plaintiff's THIRD AMENDED COMPLAINT.

2-26-69 Filed Interrogatories Propounded to Defendant Unarco Industries, Inc.

Jury Selection Set For March 24, 1969

3-7-69: Filed Motion to Take Judicial Knowledge of fact that various states have enacted Workmen's Compensation Laws covering asbestosis.

3-7-69: Filed Motion for Further Discovery in this Case and Motion for Postponement of the Trial Setting of March 24, 1969.

3-10-69 Filed Defendant Fibreboard Paper Products Corporation's Reply to Plaintiff's Motion to Take Judicial Knowledge.

3-10-69 Filed Motion of the Defendants, Combustion Engineering, Inc., and R & I Refractory and Insulation Corporation to Amend Answers to Interrogatories, and to Withdraw Sample of Products and Deposit Additional Samples. (Proposed Order and Amended Answers to Interrogatories attached)

Division BEAUMONT Civil Docket No. 5402 (Continued)

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed ....., 19..... Object of suit:

PROCEEDINGS:

3-14-69 Filed Amended Supplemental Answer and Cross-Action of Defendant, Fibreboard Paper Products Corporation, with ORDER thereon signed by Judge Fisher, allowing such to be filed. Attorneys notified.

3-14-69 ORDER signed by Judge Fisher and filed, granting Motion of Combustion Engineering, Inc., and R and I Refractory and Insulation Corporation to amend Answers to Interrogatories served upon them by plaintiff. Attorneys notified. Also allows withdrawal of one sample, and deposit of two others.

3-14-69 Filed Amended Answers of Defendants, Combustion Engineering, Ind., and R & I Refractory and Insulation Corporation to Interrogatories Under Rule 33, Federal Rules of Civil Procedure.

3-14-69 ORDER signed by Judge Fisher and filed, granting Motion of Fibreboard Paper Products Corporation to be allowed further discovery; ordering that Plaintiff complete and file all Depositions and Interrogatories which have heretofore been propounded to the various Defendants; and ordering this case postponed from the current setting of March 24, 1969, until next term of this Court. Attorneys notified.

3-14-69 Letter to Counsel by Judge Fisher, advising that trial of this case is rescheduled from March 24th, to May 5, 1969.

3-14-69 ORDER granting Plaintiff's Motion that Court take judicial knowledge of the States having Workmen's Compensation Laws covering asbestosis; signed by Judge Fisher and filed. Attorneys notified.

3-17-69 Filed Plaintiff's Answer to Motion for Further Discovery in this Case and Motion for Postponement of the Trial Setting of March 24, 1969. Proposed Order attached.

3-24-69 Filed DEPOSITION of A. S. ARWINE.

3-25-69 Filed DEPOSITION of DR. IRVING J. SELIKOFF, with exhibits attached thereto.

FPI-LPC-6-68-5M-3909

3-25-69: Filed Notice to take Deposition of Earl Herring, and Interrogatories to be Propounded to Earl Herring. (1 cover).

3-25-69: Filed Notice to Take Deposition of Brooks Baker, and Interrogatories to be Propounded to Brooks Baker. (1 cover).

3-25-69: Filed Notice to Take Deposition of John F. Hunter, and Interrogatories to be Propounded to John F. Hunter. (1 cover).

3-25-69: Filed Notice to Take Deposition of Richard Lampton, and Interrogatories to be Propounded to Richard Lampton. (1 cover)

3-25-69 Filed Motion for Judgment, by all Defendants, Cross-Plaintiffs and Intervenors, with the exception of Fibreboard Paper Products Corporation, and agreed to by Plaintiff. Attaching proposed Judgment.

3-25-69 Received copy of letter from Ward Stephenson to all attorneys making above Motion, setting out court costs incurred by plaintiff to date.

4-1-69 Filed Objection of Defendant, Fibreboard Paper Products Corporation, to the Dismissal of the Cross-Actions for Contribution Against Remaining Defendants, with proposed Order attached.

4-4-69 Hearing held in open Court, before Judge Fisher on 5 Defendants' Motion for Judgment. Mr. John Tucker speaks for 5 defendants (all except Mr. Weller who represents Fiberboard Paper Products. Mr Weller presents objections to other Defendants' Motion for Judgment. (This Judgment agreed to by Plaintiff.) Mr Weller objects to Dismissal of his Cross-Action against 5 Defendants. Court states that Judgment will be entered without prejudice as to reinstatement of Cross-Action of Fiberboard Paper Products if it develops that Cross Defts. should not have been dismissed. Judgment will be entered as an Interlocutory Decree. Mr. Tucker will amend part of Judgment to be presented.

4-7-69 Interlocutory JUDGMENT signed by Judge Fisher and filed, ordering:
That Plaintiff's suit against Combustion Engineering, Inc. and R & I Refractory & Insulation Corporation, Johns-Manville Products Corporation, Owens-Corning Fiberglas Corporation, Eagle-Picher Industries, Inc., Pittsburgh Corning Corporation, Unarco Industries, Inc. and Union Asbestos & Rubber Company, be and the same is dismissed;
That all counterclaims and cross-actions by and between said Defendants be dismissed without prejudice to the right of Fibreboard Paper Products Corp. to reinstate;
That Interventions of Texas Employers Insurance Association, The Travelers Insurance Company and Queen Insurance Company having been satisfied, the same are dismissed;
That each of said defendants pay 1/5th of costs of court to date;
That this judgment will not be final until final judgment is entered on remainder of the case.
Attorneys notified.

CIVIL 5402 CONTINUED

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

4-23-69 Copy of letter to George Weller from Ward Stephenson received, stating he has not received copies of sales literature as directed by Judge Fisher on Order on motion for discovery; if not received by Friday, he will proceed with application & order to Court

4-28-69 Filed Written INTERROGATORIES of JOHN F. HUNTER, EARL B. HERRING and RICHARD J. LAMPTON.

5-1-69 Filed Motion to Limit and Request, of Plaintiff, with proposed Order, granting Motion.

5-2-69 Filed Reply to Plaintiff's Motion to Limit and Request, of Fibreboard Paper Products Corp with proposed Order denying Motion.

5-2-69 Filed Defendant's Motion to Declare Plaintiff's Answers to Defendant's Requests for Admissions Admitted and to Strike Answers to Defendant's Interrogatories. Fibreboard Paper Products Corp

5-2-69 Received copy of letter from Ward Stephenson to George Weller, stating exhibits have not been filed with the Clerk's office as directed by the Court.

5-5-69 In Open Court before Judge Fisher, Counsel announced Ready. Jury selected.

5-6-69 ORDER signed by Judge Fisher and filed, granting Plaintiff's Motion to Limit, with the exception of Paragraph I, which is Denied. Attorneys notified.

5-5-69 Filed TRANSCRIPT of HEARING on Motion to Enter Judgment.

5-8-69 Filed NOTICE of Oral Deposition of Dr. Thomas A. Lombardo to be taken by Defendant, Fibreboard Paper Products Corp.

FPI—LK—6-29-66—10M—6416

Civ. 5402

5-12-69 10:15 a.m. - Trial Begins & Jury Selected 5-5-69) Recessed at 5:00 P.M until 9:30 a.m. May 13, 1969.

5-13-69 - 9:30 a.m. - Trial in 2nd Day 4:20 P.M. - Trial Recessed until 9:30 a.m. - May 14, 1969.

5-14-69 9:30 a.m. - Trial in 3rd Day - at Conclusion of Plaintiff's Testimony, Defendant makes Oral Motion for Instructed Verdict. Motion Denied.
5:00 P.M. - Recessed until Friday, May 16, 1969 9:30 a.m.

5-12-69 Filed Deposition of Dr. Thomas A. Lombardo
5-14-69 Filed ORDER ~~on~~ Denying Motion for Instructed Verdict at the Close of Plaintiff's Evidence. Copy of Order given to Counsel.
5-14-69 Filed Motion of Defendant, Fibreboard Paper Products Corporation, to Submit This Case Upon Special Interrogatories under Rule 49(a)
5-14-69 Filed Motion for a Directed Verdict at the Close of Plaintiff's Evidence

5-16-69 9:30 a.m. — Trial Resumes (4th Day) after having been recessed since May 14, 5:00 P.M. Recessed at 6:45 P.M.

5-19-69 9:30 a.m. — Jury resumes deliberating after having recessed at 6:45 P.M. on May 16, 1969.

5-19-69 10:50 a.m. Filed Verdict of the Jury, finding in favor of the defendant, Fibreboard Paper Products Corporation; and finding that each of following Manufacturers (did) or (did not) contribute to the occupational disease of asbestosis suffered by the plaintiff, if he is so suffering: ① Johns-Manville Products yes; ② Eagle-Picher Industries, Inc. yes; ③ Owens-Corning Fiber Glass Corp yes ④ Pittsburgh-Corning Corp. yes; ⑤ Unarco Industries, Inc yes; ⑥ Combustion Engineering, Inc. or R+D Refractory and Insulation Corporation yes;

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT vs. COMBUSTION ENGINEERING, INC., ET AL, Plaintiff,

~~FIBREBOARD PAPER PRODUCTS CORPORATION~~, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

5-14-69 Filed Order signed by Judge Fisher Denying Defendant's Motion for Instructed Verdict at the Close of PLAINTIFF'S Evidence. Counsel Present

5-14-69 Filed Defendant's Requested Instructions Nos. 1-10

5-14-69 Filed Defendant's Demand that if case is submitted to jury on special verdict ~~xhx~~ certain issues be submitted as part of special verdict under Rule 49(a)--issues or Interrogatories stated 1-35

5-14-69 Filed Defendant's Demand for Submission of Omitted Issue or Issues under Rule 49(a)--issues (or Interrogatories 1-35)

5-16-69 ~~Filed Defendant's Fibreboard Paper Products Corporation's~~ Motion of the

5-16-69 Order signed by Judge Fisher and filed Overruling ~~Xxxxxxxxx~~ ~~Defendant, Fibreboard Paper Products Corporation~~, for an Instructed Verdict at the close of all of evidence. Counsel Present

5-16-69 Order signed by Judge Fisher and Filed ~~Overruling~~ Denying Motion of Defendant, Fibreboard Paper Products Corporation, to submit this case on special interrogatories, or in the alternative, on special charges and special interrogatories. Counsel Present

5-16-69 ~~Filed Plaintiff's Requested~~ Charges (4 Separate Instruments)

5-16-69 Filed Plaintiff's Objection to Court's Charge (4 Separate Instruments)

5-28-69 Filed Motion of Defendant, Fibreboard Paper Products Corporation ~~for Judgment on the Verdict of the Jury~~

5-28-69 JUDGMENT on Jury Verdict, signed by Judge Fisher and filed, ordering:

That Plaintiff recover nothing of and from Defendant Fibreboard Paper Products Corporation; and that all costs of this action incurred by said Defendant be taxed against Plaintiff;

(Continued)

FPI—LK—6-29-66—10M—6416

a Directed Verdict at the Close of All of the Evidence

5-28-69 (Cont'd)

That settlement having been made between Plaintiff and Defendants Combustion Engineering, Inc. and R & I Refractory and Insulation Corporation, Johns-Manville Products Corporation, Owens-Corning Fiberglas Corporation, Eagle-Picher Industries, Inc., Pittsburgh Corning Corporation, Unarco Industries, Inc. and Union Asbestos & Rubber Company, in accordance with Interlocutory Judgment entered April 7, 1969, the suit between Plaintiff and these Defendants is dismissed;

That the Interventions of Texas Employers Insurance Association, The Travelers Insurance Company, and Queen Insurance Company of America having been satisfied and paid, the same are dismissed;

That each and all of the Cross-Actions of the respective Defendants are dismissed, including that of Fibreboard Paper Products Corporation against the remaining Defendants;

That Defendants Combustion Engineering, Inc. and R & I Refractory and Insulation Corporation, Johns-Manville Products Corporation, Owens-Corning Fiberglas Corporation, Eagle-Picher Industries, Inc., Pittsburgh Corning Corporation and Unarco Industries, Inc. and Union Asbestos & Rubber Company, each pay one-fifth of the costs of Court accrued to the date of entry of the interlocutory judgment, which will become final upon entry of this judgment;

That all costs which have accrued between Plaintiff and Defendant Fibreboard Paper Products Corporation are assessed against Plaintiff.

Attorneys notified.

6-6-69 Letter to Mr. Weller from Judge's Secy. that in view of circumstances stated in Mr. Weller's letter of June 3, Judge Fisher is granting request for Court to postpone consideration on plaintiff's motion until such time as defendant may reply.

6-3-69- Filed Plaintiff's Motion for New Trial.

6-13-69- Filed Defendant Fibreboard Paper Products Corp's Reply to Plaintiff's Motion for New Trial, with proposed Order overruling Motion attached

Motion Docket

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed ....., 19..... Object of suit:

PROCEEDINGS:

1-15-68 Filed Motion of Defendant, Owens-Corning Fiberglas Corporation, for Summary Judgment.

1-15-68 Filed Motion for Summary Judgment on Behalf of Defendant, Eagle-Picher Industries, Inc.

1-15-68 Filed Motion for Summary Judgment by Defendants, Combustion Engineering, Inc., & R & I Refractory & Insulation Corp.

Granted 7-17-68

1-15-68 Filed Motion for Summary Judgment by Defendants, Johns-Manville Products Corporation & Johns-Manville Fiber Glass, Inc.

1-15-68 Filed Motion for Summary Judgment by Defendant, Fibreboard Paper Products Corporation

~~1-15-68 Filed Motion for Order on Common File of Exhibits in Connection with Motions for Summary Judgment~~ Ord. entered

~~1-16-68 Filed to Law Clerk~~

1-16-68 Filed Motion for Summary Judgment by Pittsburgh Corning Corp.

Granted 7-17-68

~~1-16-68 Filed Motion for Summary Judgment by Pittsburgh Plate Glass Co.~~

1-17-68 File to Law Clerk

4-29-68 Pre-Trial held. Select Jury May 27 for trial that week. Dft's Motion for S/J held in abeyance. Judge

5-22-68 Docket-Date advised Rosalie by phone that this case now set for trial Sept. 23, 1968. (special by pet.)

5-27-68 Filed Motion for Summary Judgment on the main action and on the Cross-Actions of the Defendant, Gustin-Bacon Manufacturing Company. (orig to Judge)

Granted 7-17-68

(over)

FPI—LK—6-29-66—10M—6416

Published by AsbestosClaims.Law
asbestosclaims.law/library/10568/25

6-6-68 Filed Motion for S-J on Main Action + Cross action of Dfts. Pittsburgh Plate Glass Co. (Orig. to Judge).

6-7-68 Filed Motion for Summary Judgment on the Main Action and on the Cross-Actions, of Defendant Johns-Manville Fiber Glass, Inc., with proposed Order attached. (Orig. to Judge)

6-11-68 Filed Affidavit and Argument in Support of Motion for Summary Judgment of Gustin-Bacon Manufacturing Company. (Sent to Ned, to be associated with the file that Judge has.)

6-13-68 Filed Plaintiff's Answer to Motions for Summary Judgment, with attached Motion that Defendants produce a list of doctors who might testify on their behalf and general nature of testimony expected. This Motion ties in with Motion for Summary Judgment. (Proposed Order attached). Orig. to Judge.

6-14-68 Order on above motion signed by Judge Fisher 6-14-68, ordering each Dfts. to produce list of doctors on or before July 1st.

6-18-68 Filed Motion of the Defendant, Fibreboard Paper Products Corporation, for Extension of Time Within Which to Reply to Plaintiff's Answer to Motions for Summary Judgment. (To Law Clerk)

6-20-68 Order granting extension to July 1 1968 to file reply to Pltf's Answer to Motions for S/J.

6-25-68 Filed Designation of Doctors Who Might Testify in Behalf of Defendant, Gustin-Bacon Manufacturing Company. (Orig. to Judge to go with Motion File on S/J)

6-28-68 Filed Designations of Doctors, etc., by: Owens-Corning Fiberglas Corp. Johns-Manville Fiber Glass, Inc.; Johns-Manville Products Corp. (To Judge)

7-1-68 Filed Designation of Doctors, etc., by: Fibreboard Paper Products Co.; Combustion Engineering, Inc., and R & I Refractory and Insulation Corp (To Judge)

7-17-68 Filed Designation of Doctors who Might Testify by Pittsburgh Corning's Corp.

7-18-68 All Motion files returned with note from Judge Fisher stating, "Check on this File September 2, 1968"

9-12-68 all Motion files returned. Order on Motion for Discovery signed as of 8-29-68. No action on other motions.

T - Ind. Clk.

12-17-68 all Motion Files to Law Clerk for pre-trials

12-18-68 Files returned with no notation.

T - Ind. Clk.

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff: Ward Stephenson

for Defendant: Geo. Weller (for Fibreboard Paper Products Corp.)

Filed ....., 19..... Object of suit: .....

PROCEEDINGS:

5-1-69 Filed Motion to Limit and Request, of Plaintiff, with proposed Order granting.

Order granting 5-6-69

5-2-69 Filed Reply to Plaintiff's Motion to Limit and Request, by Defendant Fibreboard Paper Products Corp., with proposed Order denying.

5-2-69 Filed Defendant Fibreboard Paper Products Corp.'s Motion to Declare Plaintiff's Answers to Defendant's Requests for Admissions Admitted and to Strike Answers to Defendant's Interrogatories, with proposed Order.

5-5-69 File to Earl with note -- for trial.

This matter did not come back from Judge when order signed 5-6-69 on Motion to Limit

FPI-LPC-6-66-2M-3909

Motion Docket

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff: Ward Stephenson

for Defendant: Gordon Pate (For Deft. Johns-Manville Products Corp.)

Filed ____, 19____ Object of suit: ____

PROCEEDINGS:

5-20-68 Filed Defendant Johns-Manville Products Corporation's Motion to Quash subpoena served by Plaintiff.

5-24-68 Talked with Attorney Gordon Pate about this Motion. Subpoena was for May 27th, but in the meantime, the case has been continued to September 23, 1968. He said not to present this Motion until further notice from him.

T-Ingalsmith

5-27-68: Filed Motion to Quash Service of Subpoena served upon ~~Fibreboard Paper Products Corp. Motion letter sent.~~

T-7/11

7-18-68 All Motion files returned with note from Judge Fisher stating "Check on this file September 2, 1968"

9-3-68 all motion files to Stod.

12-17-68 all Motion Files to Law Clerk for Pre-Trial

FPI—LK—6-29-66—10M—5416

Motion Docket

Division BEAUMONT Civil Docket No. 5402

CLAUDE J. TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed ....., 19..... Object of suit:

PROCEEDINGS:

5-27-68 - Filed Motion for Summary Judgment on the Main Action and on the Cross-Actions of the Defendant, Gustin-Bacon Manufacturing Company.

5-29-68 - Filed Notice of Motion and MOTION FOR DISCOVERY.

5-29-68 Mailed Motion letter.

T- 6/10

6-4-68 Filed Defendant, Fibreboard Paper Products Corporation's Motion to Limit and Restrict Plaintiff's Motion for Discovery. (With proposed Order attached).

T- 6/10

6-5-68 Filed Objections of Defendants, Combustion Engineering = Inc., and R. & I Refractory and Insulation Corporation, in Opposition to Motion for Discovery

6-6-68 Filed Motion of Pittsburgh PlateGlass Company and Pittsburgh Corning Corp. to Limit and Restrict Plaintiff's Motion for Discovery.

T — 6/10

6-7-68 Filed Plaintiff's Reply to Motion to Limit Plaintiff's Motion for Discovery, with proposed Order attached.

6-7-68 Filed Defendant, Johns-Manville Products Corporation's Objections to Plaintiff's Motion for Discovery and Motion to Limit and Restrict Same.

6-7-68 Filed Reply of Johns-Manville Fiber Glass, Inc., to ~~Plaintiff's Motion for Discovery.~~

T-6/10

6-10-68 Filed Law Clerk. (Ched)

FPI—LK—6-29-66—10M—6416

6-10-68: Filed Motion to Limit and Restrict Plaintiff's Motion for Discovery (filed by Owens-Corning Fiberglas Corp.)

6-13-68 Filed Plaintiff's Application to the Court for permission to have his Reply to Fiberboard Paper Products' Motion to Limit Plaintiff's Motion for Discovery, taken as his reply to the other Motions to Limit. Attaches proposed Order.

To Ned

6-14-68 Order granting above motion, signed by Judge Fisher 6-14-68.

6-14-68 Order setting hearing on Motion for Discovery for July 2, 1968 signed by Judge Fisher & filed.

(File still with law clerk)

Order Denying 7-26-68

7-17-68 Filed MOTION of Combustion Engineering, Inc; R & I Refractory; Insulation Corporation; Johns-Manville Products Corporation; Pittsburgh Corning Corporation; Fibreboard Paper Products Corporation; Owens-Corning Fiberglas Corporation; and Eagle-Picher Industries, Inc. for Certification of a Controlling Question of Law Under Title 28, Judiciary & Judicial Procedure, Chapter 83, Sec. 1292(b)

7-17-68 Filed Brief in Support of Motions

7-17-68 Hazel gave originals to Earl

7-18-68 Filed Plaintiff's Motion to Strike Certain Portions of Written Interrogatories of Dr. Stanton P. Fischer

(Earl said hold this ten days & then give to him) mcv

7-18-68 All Motion Files returned with note from Judge Fisher stating, "Check on this file September 2, 1968"

Order Denying 7-26-68

7-23-68 Filed Plaintiff's Reply to Defendant's Motion for certification of a controlling question of law under Title 28, Judiciary and Judicial Procedure, Chapter 83, Section 1292(b).

Orig. to Earl to associate with motion filed 7-17-68.

7-24-68 Filed Reply of Defendant, Fibreboard Paper Products Corporation to Plaintiff's Motion to Strike Certain Portions of Written Interrogatories Directed to Dr. Stanton P. Fischer

8-13-68 Filed Answer of Defendant, Fibreboard Paper Products Corporation to Interrogatory and Motion for Discovery, subject to objections heretofore filed.

8-26-68 Filed Answer of Defendant, Johns-Manville Products Corporation, to Motion for Discovery.

8-27-68 Filed Answer of Defendant, Pittsburgh Corning Corporation to Interrogatory and Motion for Discovery.

8-22-68 Filed Answer of Combustion Engineering, Inc., and R and I Refractory and Insulation Corporation to Interrogatory and Portion of Motion for Discovery.

9-5-68 Received copy of letter to Atty. Ward Stephenson from Atty. Gordon R. Pate, enclosing sales literature requested in Motion for Discovery.

9-10-68 Filed Supplemental Answer of Defendants, Combustion Engineering, Inc., and R and I Refractory and Insulation Corp., to Motion of Pltf. for Discovery. (orig. to file)

Motion Docket

Division BEAUMONT Civil Docket No. 5402

TOMPLAIT, Plaintiff,

COMBUSTION ENGINEERING, INC., ET AL, Defendant.

Attorneys:

for Plaintiff:

for Defendant:

Filed , 19 Object of suit:

PROCEEDINGS:

6-4-68 Filed Objections of Defendant, Fibreboard Paper Products Corporation to Interrogatory of Plaintiff, with proposed Order attached.

6-4-68 Filed Owens-Corning Fiberglas Corporation's Objection to Interrogatory. (No Order attached. Motion requests that hearing be had at same time Motion for Discovery is heard.)

T-6/10

6-5-68 Filed Objections of Defendants, Combustion Engineering, Inc. and R & I Refractory and Insulation Corporation , to Interrogatory under Rule 33, and Motion to Strike.

6-6-68 Filed Objections of Defendants Pittsburgh Plate Glass Company and Pittsburgh Corning Corporation to Interrogatories Propounded by Plaintiff.

T— 6/10

6-7-68 Filed Objection of Johns-Manville Products Corporation to single Interrogatory of Plaintiff.

6-7-68 Filed Objection of Johns-Manville Fiber Glass, Inc., to single Interrogatory of Plaintiff.

6-10-68 Filed Ned.

6-14-68 Ned pays all pending motions in this case to be heard July 12, 1968 10:00 a.m. Bert to notify attorneys. (Bert Ltd Ltr)

(OVER)

FPI—LK—6-29-66—10M—6416

Civil 5402

~~9-4-68 Filed Answer~~

7-18-68 All Motion files returned with note from Judge Fisher stating, "Check on this file September 2, 1968"

8-13-68 Filed A nswer of Defendant, Fibreboard Paper Products Corporation, to Interrogatory, subject to objections heretofore filed.

8-27-68 Filed Answer of Defendant, Pittsburgh Corning Corporation, to Interrogatory and Motion for Discovery.

8-26-68 Filed Answer of Defendant, Johns-Manville Products Corporation, to Second Set of Interrogatories Consisting of Interrogatory 1 Propounded to Defendants.

8-22-68 Filed Answer of Combustion Engineering, Inc., and R and I Refractory and Insulation Corporation to Interrogatory and Portion of Motion for Discovery.

8-29-68 Received proposed Order on Plaintiff's Motion for Discovery, with request that it be presented at our earliest convenience.

9-3-68 all motion files to Steve.

9-4-68 Filed Answer of Defendant Eagle-Picher Industries, Inc. to Interrogatories and Motion for Discovery (Handed to Steve to Associate with Motion Files)

9-11-68 Letter to Counsel by Bert, advising case has been continued for the term, but will be given preferential setting in January term, 1969.

9-12-68 All motion files returned, Order on Motion for Discovery signed as of 8-29-68. No action on other Motions.

T - Indf.

10-21-68 Filed Answer of Defendant Owens-Corning Fiberglas Corporation to Second Set of Interrogatories Consisting of Interrogatory 1 Propounded to Defendants.

10-21-68 Filed Answer of Defendant Owens-Corning Fiberglas Corporation to Plaintiff's Motion for Discovery.

12-17-68 To Law-Clerk, for Pre-Trial.

12-18-68 Files returned. Placed back in Motion Drawer, (No notation.) T - Indf.

INSERT SHEET 2-a.

Division BEAUMONT Civil Docket No. 5402

_____, Plaintiff,

_____, Defendant.

Attorneys:

for Plaintiff: _____

for Defendant and

for Defendant: For UNARCO INDUSTRIES, INC. / Third Party Defendant:
Gerald P. Coley, VINSON, ELKINS, [redacted] SEARLS & Conway
First City National Bank Bldg., Houston, Texas 77002
(CA 5-2411)

Filed _____, 19____ Object of suit: _____

PROCEEDINGS:

(Don't additional attys, negs)

FPI—LK—6-29-66—10M—6818

Published by AsbestosClaims.Law
asbestosclaims.law/library/10568/33