

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

DALE J. RIGSBY,	) CASE NO. CV 87 07 2396
	)
Plaintiff,	) JUDGE CARROLL
	)
-vs-	)
	)
THE BABCOCK & WILCOX COMPANY,	)
et al.,	)
	) ANSWER OF DEFENDANT THE
Defendants.	) BABCOCK & WILCOX COMPANY
	) <u>TO PLAINTIFF'S COMPLAINT</u>

Comes now the Defendant, The Babcock & Wilcox Company, and for its Answer to Plaintiff's Complaint, avers and states as follows:

1. Defendant admits that the Plaintiff was an employee of The Babcock & Wilcox Company from October 30, 1961 through December 31, 1984. Defendant denies each and every other allegation contained in Paragraph 1 of Plaintiff's Complaint.

2. The allegations contained in Paragraph 2 of Plaintiff's Complaint are denied for want of knowledge.

3. The allegations contained in Paragraph 3 of Plaintiff's Complaint are denied.

4. The allegations contained in Paragraph 4 of Plaintiff's Complaint are denied for want of knowledge.

5. The allegations contained in Paragraph 5 of Plaintiff's Complaint are denied for want of knowledge.

OTHER DEFENSES

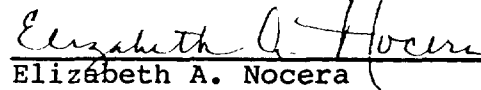
6. The Plaintiff is not in compliance with the requirements as set forth in §2317.48 of the Ohio Revised Code

which requires interrogatories relating to the subject matter of the discovery, as are necessary to procure the discovery sought.

7. When the Plaintiff complies with O.R.C. §2317.48 and provides specific discovery requests, this Defendant will comply as required by statute and pursuant to the Civil Rules.

WHEREFORE, Plaintiff, having fully answered, prays that this Court not allow the Plaintiff to obtain discovery from this Defendant until such time that Plaintiff complies with O.R.C. §2317.48.

ROETZEL & ANDRESS


Elizabeth A. Nocera

Ronald S. Kopp
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Akron, Ohio 44308
(216) 376-2700

ATTORNEYS FOR DEFENDANT
THE BABCOCK & WILCOX COMPANY

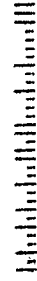
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Answer of Defendant The Babcock & Wilcox Company to Plaintiff's Complaint has been forwarded via regular U.S. Mail, postage prepaid, to A. Russell Smith, 503 Society Bldg., Akron, Ohio 44308 and to Stephen J. Brown, 211 South Court St., Medina, Ohio 44256, Attorneys for Plaintiff, on this 31st day of August, 1987.


Elizabeth A. Nocera

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August 31, 1987

/A. Russell Smith, Esq.
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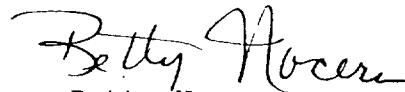
Re: Dale J. Rigsby v. The Babcock & Wilcox Company

Gentlemen:

Enclosed please find copy of the Answer of Defendant The Babcock & Wilcox Company to Plaintiff's Complaint, which I have caused to be filed in reference to the above-captioned action.

Sincerely,

ROETZEL & ANDRESS


Betty Nocera

EAN/slr
05125/103
Enclosure