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September 25, 1992

Mr. Steven J. Kherkher
UMPHREY, WILLIAMS & BAILEY
8441 Gulf Freeway, Suite 600
Houston, TX 77017

RE: CAUSE NUMBER 90-23333, MASTER ASBESTOS LITIGATION FILE, HARRIS
COUNTY, TEXAS

Dear Steve:

As per Judge Brister's Order of last Friday, enclosed is
response to Interrogatory Number 36 and Request for Production
Number 1.

Yours very truly,



W. Miller Thomas

WMT:rlbm
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CAROL L. DAVIS
Court Reporter
Houston/Austin

Procler
Exhibit No. 5

SEP-25-1992 13:20

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September 25, 1992

Mr. John E. Williams
UMPHREY, WILLIAMS & BAILEY
8441 Gulf Freeway, Suite 600
Houston, TX 77017-5001

RE: CAUSE NUMBER 90-23333, MASTER ASBESTOS LITIGATION

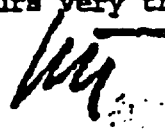
Dear Mr. Williams:

Enclosed you will find Defendants, J. T. Thorpe Company's, Thorpe Insulation Company's, Thorpe Corporation's, Cactus Construction Company's and Thorpe Products Company, Supplemental Answers to Plaintiffs' Interrogatories.

By copy of this letter I am providing the Clerk of the Court with two copies of the same asking she file one copy among the original papers in this cause and return a file-marked copy of the same to this office in the envelope provided.

If you have any questions, please do not hesitate to contact this office.

Yours very truly,


W. Miller Thomas

WMT:nbm
Enclosures
C:\HARRIS\MASTER\MASTER.047
CERTIFIED MAIL #P 877 401 281
RETURN RECEIPT REQUESTED

cc: Ms. Katherine Tyra
District Clerk
Harris County Courthouse
Houston, Texas 77002

cc: All known counsel of record

CAUSE NUMBER: 90-23333

IN RE: ASBESTOS CASES	S	IN THE DISTRICT COURT
	S	
	S	HARRIS COUNTY, TEXAS
	S	
	S	MASTER ASBESTOS FILE

DEFENDANTS. J. T. THORPE COMPANY'S,
THORPE INSULATION COMPANY'S, THORPE CORPORATION'S,
CACTUS CONSTRUCTION COMPANY'S AND
THORPE PRODUCTS COMPANY'S,
SUPPLEMENTAL ANSWERS TO PLAINTIFFS' INTERROGATORIES

TO: PLAINTIFFS, BY AND THROUGH THEIR ATTORNEY OF RECORD, JOHN E. WILLIAMS, JR., UMPHREY, WILLIAMS & BAILEY, 8441 GULF FREEWAY, SUITE 600, HOUSTON, TEXAS 77017-5001.

NOW COMES J. T. THORPE COMPANY, THORPE INSULATION COMPANY, THORPE CORPORATION, CACTUS CONSTRUCTION COMPANY AND THORPE PRODUCTS COMPANY, Defendants in the above-styled and numbered cause of action, and files this their Supplemental Answers to the Plaintiffs' Master Set of Interrogatories as shown on the attached pages.

Respectfully submitted,

C. VICTOR HALEY, TBA #08738400
W. MILLER THOMAS, TBA #19874500
FAIRCHILD, PRICE, RUSSELL,
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By: 

W. MILLER THOMAS, TBA #19874500
ATTORNEY FOR THE DEFENDANTS,
J. T. THORPE COMPANY, THORPE
INSULATION COMPANY, THORPE
CORPORATION, CACTUS
CONSTRUCTION COMPANY AND THORPE
PRODUCTS COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been deposited in a United States mail receptacle, certified mail, return receipt requested, on this the 25th day of September, 1992, addressed to Mr. John E. Williams, Jr., UMPHREY, WILLIAMS & BAILEY, 8441 Gulf Freeway, Suite 600, Houston, TX 77017-5001.



W. MILLER THOMAS

SUPPLEMENTAL ANSWERS TO PLAINTIFFS' INTERROGATORIES

36. List all the job sites, contractors and/or facilities in the Gulf Coast area of Texas, including, but not limited to, oil refineries, chemical plants, power plants, shipyards, commercial buildings, and manufacturing plants, where or to whom defendant's asbestos products were supplied, distributed, sold and/or used. Also, list which products were involved, the date or time period of such sale, distribution, use or installation and if known, the physical location within the facility listed. Alternative, you may produce the documents requested in Request for Production No. 1.

ANSWER:

In addition to all objections made by other Defendants, which these Defendants hereby incorporate by reference, Defendants, J. T. Thorpe Company, Thorpe Insulation Company, Thorpe Corporation, Cactus Construction Company and Thorpe Products Company, specifically object to Plaintiffs' Interrogatory No. 36 for the reason that same requests information which is irrelevant, not reasonably calculated to lead to the discovery of admissible evidence, not limited in time and scope and is overly broad, indefinite, overly burdensome and harassing. Subject to and without waiving the foregoing objections, Defendants would answer as follows:

The named Defendant, Thorpe Products Company, was incorporated on April 26, 1985, and never manufactured, sold or installed any asbestos containing material.

The named Defendant, Thorpe Corporation, was incorporated on February 11, 1983, and never manufactured, sold or installed any asbestos containing material.

The named Defendant, Cactus Construction Company, was incorporated on February 4, 1969, and never manufactured, sold or installed any asbestos containing material.

Without admitting collectively or individually the sale of or exposure by any Plaintiff to asbestos containing material sold or installed by the following Thorpe entities, Defendants, J.T. Thorpe Company and Thorpe Insulation Company, would answer as follows:

- a) Thorpe Insulation Company was a Texas Corporation from February 27, 1956, until it was dissolved on March 31, 1961. It distributed insulation products from May 01, 1956, until December 31, 1960. Its primary geographical area of distribution was in the Houston - Beaumont area.
- b) Thorpe Insulation Company was Texas Corporation, from December 10, 1965, until it was dissolved on June 09, 1989. It distributed and installed insulation products

primarily in or around Corpus Christi, Texas.

- c) J. T. Thorpe Company, a Texas Corporation, by and through its unincorporated division, Thorpe Products Company, began on January 1, 1961, to distribute insulation products primarily in the Houston - Beaumont area.
- d) J. T. Thorpe Company, a Texas Corporation, by and through its unincorporated division, Thorpe Insulation Company, from approximately 1958 until December 10, 1963, distributed and installed insulation products in or around Corpus Christi, Texas.

As far as J. T. Thorpe Company and Thorpe Insulation Company, the attached schedules are a listing of customers or job sites recreated to the best of said Defendants' current knowledge and information as to locations where insulation products were sold or installed. The Defendants, J. T. Thorpe Company and Thorpe Insulation Company, have not located supporting sales documentation to confirm if sales to the listed sites or customers were limited to asbestos containing products or whether sales included or were limited to non-asbestos containing products, except for purchase records of Exxon - Baytown for the years 1969 through 1973 which are contained in the Master Exhibit List. Additionally, the Defendants, J. T. Thorpe Company and Thorpe Insulation Company, are attempting to determine the specific time periods that said entities sold or installed insulation products to any of the job sites or customers contained in the attached schedules, and the specific - asbestos insulation product and non-asbestos insulation product sold.

Said Defendants, J. T. Thorpe Company and Thorpe Insulation Company, will supplement their answers hereto upon determining the existence of more specific information and/or documents responsive to this inquiry.

JOB SITES - BEAUMONT/PORT ARTHUR/ORANGE AREAS

Gulf Oil - Port Arthur
Dupont Chemical - Orange
Gulf States Utilities
Mobil Oil - Beaumont
Mobil Chemical - Beaumont
Texaco Refinery - Port Arthur
~ Jefferson Chemical - Port Neches
~ Olin Mathieson
Temple Eastex - Evadale
Pure Oil Company - Port Neches (Unocal)

JOB SITES - HOUSTON AREA

Amoco Oil - Texas City
~ Amoco Chemical - Alvin
Arco Chemical - Channelview
Arco Refinery - Pasadena
Champion Paper - Pasadena
Diamond Shamrock
~ Dow Chemical - Freeport
~ Dow Chemical - LaPorte
Ethyl Corporation
Exxon - Baytown
Houston Lighting & Power
Marathon Oil - Texas City
Petrotex Chemical - Pasadena
~ Phillips Petroleum - Sweeney
Rohm & Haas
Shell Oil & Chemical - Deer Park
~ Brown & Root - Houston
Cameron Iron Works
~ Chevron Chemical - Baytown
No Stauffer Chemical
~ Monsanto - Texas City
~ Texas City Refinery
Texas Gulf - Sulfur
~ Union Carbide - Texas City

JOB SITES - CORPUS CHRISTI AREA

Aluminum Company of America - Port Comfort
Calanese - Corpus Christi
Calanese - Kingsville
Central Power & Light

VERIFICATION

THE STATE OF TEXAS §

COUNTY OF HARRIS §

Richard Nowland, being first duly sworn, on oath deposes and says that he is a duly authorized representative of J. T. Thorpe Company, Thorpe Insulation Company, Thorpe Corporation, Cactus Construction Company and Thorpe Products Company, Defendant in the above-entitled action; that he has read and is qualified to give the foregoing response to Answers to Interrogatories, and knows the content thereof; that said answers were prepared by and with the assistance of former employees and representatives of J. T. Thorpe Company, Thorpe Insulation Company, Thorpe Corporation, Cactus Construction Company and Thorpe Products Company with the assistance and advice of counsel, upon which he has relied; that the answers set forth herein, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of these answers, that consequently J. T. Thorpe Company, Thorpe Insulation Company, Thorpe Corporation, Cactus Construction Company and Thorpe Products Company reserve the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein or that more accurate information is available; and that subject to the limitations set forth herein the said answers are true and correct.


RICHARD NOWLAND

SUBSCRIBED AND SWORN TO before me on this 23rd day of
September, 1992, to certify which witness my hand and
seal of office.


NOTARY PUBLIC, STATE OF TEXAS

SUSAN TRAINOR

My commission expires: 10/1/95

