

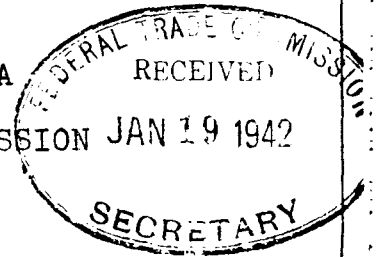
FILE NAME: National Safety Council (NSC)

DATE: 1942 Jan 19

DOC#: NSC284

DOCUMENT DESCRIPTION: Legal - Answer of Respondent Johns-Manville Corp. to Amended Complaint

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of

ACME ASBESTOS COVERING AND
FLOORING COMPANY, et al.

:
:
:
:

Docket No. 4613

ANSWER OF RESPONDENT JOHNS-MANVILLE CORPORATION
TO AMENDED COMPLAINT

Johns-Manville Corporation, one of the respondents named in this proceeding, answers the amended complaint by its attorneys Cadwalader, Wickersham & Taft, and incorporates in this answer by reference and repeats with respect to the amended complaint all the admissions, denials and statements set forth in its answer to the original complaint and all the statements contained in the separate and complete defense and explanation of alleged facts in the original complaint, and further:

1. Answering the paragraph of the amended complaint immediately preceding paragraph (11) of Paragraph NINE, Respondent admits that a merchandising plan was adopted during the period the National Industrial Recovery Act was in effect by some of the respondent corporations, and that said merchandising plan was not personally approved by the Administrator of the National Recovery Administration, but denies that such personal approval was necessary to make

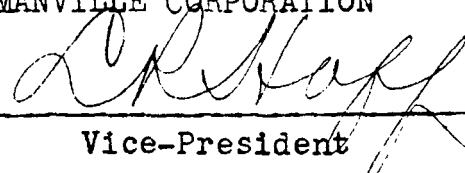
adherence to the said merchandising plan obligatory upon the members of the Industry and states that the failure of the Administrator to disapprove the said merchandising plan constituted in legal effect an approval of the same.

2. Further answering the new matter appearing in said amended complaint Respondent denies knowledge of the new facts alleged in the last paragraph of Paragraph ONE, the fifth paragraph of Paragraph TWO, and the first paragraph of Paragraph THREE and denies that any sub-license agreement was entered into between The Philip Carey Company and Donald Tulloch, Jr.

WHEREFORE, Johns-Manville Corporation respectfully requests that the complaint in this proceeding be dismissed in so far as it relates to said Corporation.

JOHNS-MANVILLE CORPORATION

By


Vice-President


Cadwalader, Wickersham & Taft,
Attorneys for Johns-Manville Corporation
14 Wall Street, New York, N. Y.