

NO. 2000-8-13782

CARL W. MAUER and
BILLIE JEAN MAUER, ET AL

VS.

OWENS-CORNING FIBERGLAS,
CORPORATION, ET AL

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IN THE DISTRICT COURT

24th JUDICIAL DISTRICT

CALHOUN COUNTY, TEXAS

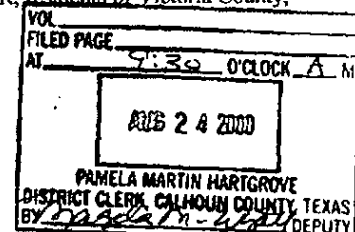
PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE COURT:

Parties to this suit are:

Plaintiffs:

- (1) CARL W. MAUER and wife, BILLIE JEAN MAUER, residents of Calhoun County, Texas;
- (2) JERRY T. AMASON and wife, JOYCE AMASON residents of Calhoun County, Texas;
- (3) JACK W. CRAIG and wife, JACQULYN CRAIG, residents of Victoria County, Texas;
- (4) JAMES C. FLANAGAN and wife, BELINDA FLANAGAN, residents of Jackson County, Texas;
- (5) ISABEL J. GALINDO and wife, CONCEPCION GALINDO, residents of Calhoun County, Texas;
- (6) ARCHIE W. HOWARD, resident of Dewitt County, Texas;
- (7) EUGENE R. RICKAWAY and wife, MARIE RICKAWAY, residents of Matagorda County, Texas;
- (8) JAY D. TURNER and wife, WANDA L. TURNER, residents of Victoria County, Texas.



Defendants:

(1) ACandS, Inc., and its predecessor corporation, Armstrong Contracting and Supply Corporation, are Delaware corporations. Agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(2) Combustion Engineering, Inc. is a Delaware corporation. Its agent for service is Mr. David Tolin, Law Offices of David L. Tolin, 2615 Calder Avenue, Suite 400, Beaumont, Texas 77702.

(3) Crown Cork & Seal Company, Inc., and its predecessor corporation, Mundet Cork Corporation are New York corporations. Agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(4) Garlock Corporation is a New York corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(5) Georgia Pacific Corp. is a Georgia corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, Texas 75201.

(6) Grefco, Inc. is a Delaware corporation. Defendant corporation has not appointed a registered agent for service of citation in the State of Texas but may be served by serving its principal place of business, 225 City Line Avenue, Suite 114, Bala Cynwyd, Pennsylvania 19004, by service upon the Secretary of State of the State of Texas under the Longarm Statute.

(7) Metropolitan Life Insurance Company is a foreign corporation. It may be served with citation by serving its registered agent, Robert E. Wolin, 1717 Main Street, 3700 Bank One Center, Dallas, Texas 75201.

(8) Oriental Gasket & Packing Company, Inc. is a Texas corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, Texas 75201.

(9) Owens-Corning Fiberglas Corporation is a Delaware corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(10) Rapid-American Corp., in its own right and as successor in interest to and liable for Philip Carey Corporation, is a New York corporation. Its agent for service is CSC Networks, Prentice Hall Legal and Financial Services, 1013 Center Road, Wilmington, Delaware 19805-1297.

(11) Thorpe Insulation Company and J. T. Thorpe Company, including its unincorporated division, Thorpe Products Company, is a Texas corporation. Its agent for service is W. Miller Thomas, Fairchild, Price, Thomas & Haley, L.L.P., 413 Shelbyville Street, Center, Texas 75935.

(12) W. R. Grace & Company is a Connecticut corporation. Its agent for service is Prentice-Hall Corporation System, 800 Brazos, Austin, Texas 78701.

(13) Anchor Packing Company is a Delaware corporation and may be served with citation by serving its registered agent for service, C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(14) General Refractories Company is a Pennsylvania corporation and may be served with citation by serving its registered agent for service, General Refractories Company, 225 City Avenue, Suite 114, Bala-Cynwyd, Pennsylvania 19004.

(15) Guard-Line, Inc., previously known as 20th Century Glove Corp. of Texas, is a Texas corporation and may be served with citation by serving its registered agent for service, H. Lee Stanley, 215 S. Louise, Atlanta, Texas 75551.

(16) Uniroyal Fiber & Textile Division of Uniroyal, Inc. is a New Jersey corporation. Defendant corporation has not appointed a registered agent for service of citation in the State of Texas but may be served by serving their principal place of business, 70 Greate Hill Road, Naugatuck, Connecticut 06770, by service upon the Secretary of State of the State of Texas under the Longarm Statute.

(17) CBS Corporation, formerly known as Westinghouse Electric Company is a Pennsylvania corporation authorized to do business in the State of Texas and may be served with citation by serving its registered agent, C. T. Corp., 350 N. St. Paul Street, Dallas, Texas 75201.

(18) Rhone-Poulenc Ag Company as successor to Amchem, Inc., Benjamin Foster Division, is a Pennsylvania Corporation. Agent for service is C. T. Corporation System, 350 N. St. Paul Street, Dallas, Texas 75201.

(19) A. P. Green Industries, Inc., formerly known as A. P. Green Refractories Company, is a Delaware corporation. Agent for service is Darcy Roper, Connecticut Valley Claims Service Company, Inc., 525 Brook Street, P. O. Box 950, Rocky Hill, CT 06067.

(20) Armstrong World Industries, Inc., and Armstrong Cork Company, is a Pennsylvania corporation. Agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(21) Asbestos Claims Management Company, formerly known as National Gypsum Company, is a Delaware corporation, who does not have a registered agent for service of process but may be served by serving its home office, Asbestos Claims Management Company, P. O. Box 1299, Greenville, Texas 75403-1299.

(22) Certainteed Corporation is a Delaware corporation. Its agent for service is C. T. Corporation Systems, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(23) Gasket Holdings, Inc., formerly known as Flexitallic, Inc., is a Delaware corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul, Dallas, Texas 75201.

(24) T & N, plc (successor in interest to the Keasbey & Mattison Company), is a foreign corporation and does not maintain a regular place of business in Texas or a designated agent for service of process but may be served by serving their principal place of business at St. Mary's Parsonage, Manchester, M#NL, England, by service upon the Secretary of State of the State of Texas under the Longarm Statute.

(25) United States Gypsum Company is a Delaware corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(26) Fibreboard Corporation, a Delaware corporation. Its agent for service is United States Corporation, 807 Brazos, Suite 600, Austin, Texas 78701.

1.

This is a personal injury damage suit for exposure to asbestos and asbestos-containing products. Both jurisdiction and venue are proper in this cause of action pursuant to the Texas Civil Practice and Remedies Code. Venue is proper in Calhoun County, Texas, pursuant to Sec. 15.002 and 15.005, Texas Civil Practice and Remedies Code, because a substantial part of the events or omissions giving rise to the claim occurred there. Plaintiffs, while living and/or working in Calhoun County, Texas, were exposed to asbestos, which caused their injury and disease. Plaintiffs anticipate that discovery in this case will be governed by Level 3, Tex.R.Civ.P. 190.4.

2.

Plaintiffs, through their employment, were exposed to asbestos and asbestos-containing products mined, manufactured or distributed by the defendants herein named. Plaintiffs allege that the products mined, manufactured or distributed by the defendants when used in the intended manner emit harmful asbestos fibers into the air which were inhaled by Plaintiffs causing damage and harm to their bodies. Plaintiffs allege that at all times material hereto, all of the defendants were aware of the fact that Plaintiffs and others similarly situated were regularly being exposed to the hazards of the asbestos disease. Although each of the defendants knew of the dangers and hazards and even

WELLBORN, HOUSTON, ADKISON, MANN, SADLER & HILL, L.L.P.
ATTORNEYS AT LAW
P. O. BOX 1109 - 300 W. MAIN ST.
HENDERSON, TEXAS 75653-1109

PAUL L. SADLER
Board Certified - Texas Board of Legal Specialization
Civil Appellate and Personal Injury Trial Law

Phone 936/57-8594
Fax 936/57-4188

April 22, 2003

Ms. Pamela Martin Hartgrove (via fax 361/553-8029)
District Clerk
P.O. Box 658
Port Lavaca, TX 77979

Re: No. 2000-8-13782; *Jerry T. Amason and Joyce Amason, et al vs. Owens-Corning Fiberglas, Inc., et al*; in the District Court; 24th Judicial District; Calhoun County, Texas

Dear Ms. Hartgrove

The following is a listing of the defendants and their counsel who are still active in this lawsuit:

Mr. Frank Harmon	Crown Cork & Seal Co.
Mr. Robert Wilkinson	Guard-Line
Mr. Alex Gomez	Rapid-American
Mr. Mark Scudder	Grefco and General Refractories
Mr. Todd Ogden	Uniroyal
Mr. Mel Bailey	Georgia Pacific
Mr. James Powers	Certaineed Corp.
Mr. Mitchell Chaney	Anchor Packing
Mr. John Hill	Metropolitan Life Ins.
Mr. John Dolezal	Oriental Gasket
Mr. Michael Terry	Rhone-Poulenc Ag.

Thank you for your assistance in the matter. If you should have any questions, please do not hesitate to contact Donna Rountree and she will be happy to assist you.

Yours very truly,



Paul L. Sadler

/ds
Enclosures

FILED
AT 2:44 PM APR 24 2003

APR 24 2003

PAMELA MARTIN HARTGROVE
DISTRICT CLERK, CALHOUN COUNTY, TEXAS

By: Anna Coward, Deputy

NO. 2000-8-13782

JERRY T. AMASON and
JOYCE AMASON, ET AL

VS.

OWENS-CORNING FIBERGLAS,
CORPORATION, ET AL

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IN THE DISTRICT COURT

24th JUDICIAL DISTRICT

CALHOUN COUNTY, TEXAS

PLAINTIFFS' FOURTH AMENDED PETITION

TO THE HONORABLE COURT:

Parties to this suit are:

Plaintiffs:

- (1) JERRY T. AMASON and wife, JOYCE AMASON, residents of Calhoun County, Texas;
- (2) JACK W. CRAIG and wife, JACQULYN CRAIG, residents of Victoria County, Texas;
- (3) JAMES C. FLANAGAN and wife, BELINDA FLANAGAN, residents of Jackson County, Texas;
- (4) ISABEL J. GALINDO and wife, CONCEPCION GALINDO, residents of Calhoun County, Texas;
- (5) ARCHIE W. HOWARD, resident of Dewitt County, Texas;
- (6) JUNE RICKAWAY, A resident of Matagorda County, Texas, Individually and as Representative of the Estate of Eugene Rickaway, deceased; MARK RICKAWAY, a resident of Matagorda County, Texas, JAMES RICKAWAY, a resident of Matagorda County, Texas, VERNON RICKAWAY, a resident of Matagorda County, Texas and ANITA SMITH, a resident of Matagorda County, Texas.
- (7) JOE S. MARTINEZ and wife, MARI A. MARTINEZ, residents of Calhoun County, Texas.

Defendants:

- (1) ACandS, Inc., and its predecessor corporation, Armstrong Contracting and Supply Corporation, are Delaware corporations. Agent for service is C. T. Corporation System, 350 N. St.

FILED 10 2009
DISTRICT CLERK, CALHOUN COUNTY, TEXAS

Paul, Suite 2900, Dallas, Texas 75201.

(2) Combustion Engineering, Inc. is a Delaware corporation. Its agent for service is Mr. David Tolin, Law Offices of David L. Tolin, 2615 Calder Avenue, Suite 400, Beaumont, Texas 77702.

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(4) Garlock Corporation is a New York corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul, Suite 2900, Dallas, Texas 75201.

(5) Georgia Pacific Corp. is a Georgia corporation. Its agent for service is C. T. Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, Texas 75201.

(6) Greco, Inc. is a Delaware corporation. Defendant corporation has not appointed a registered agent for service of citation in the State of Texas but may be served by serving its principal place of business, 225 City Line Avenue, Suite 114, Bala Cynwyd, Pennsylvania 19004, by service upon the Secretary of State of the State of Texas under the Longarm Statute.

(7) Metropolitan Life Insurance Company is a foreign corporation. It may be served with citation by serving its registered agent, Robert E. Wolin, 1717 Main Street, 3700 Bank One Center, Dallas, Texas 75201.

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JOYCE AMASON, ET AL

VS.

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IN THE DISTRICT COURT

24TH JUDICIAL DISTRICT

CALHOUN COUNTY, TEXAS


ORDER

Plaintiffs, Jerry Amason's and Joyce Amason's notice of non-suit without prejudice is received, considered, and granted. This suit is dismissed as to the following defendants:

- 1) Certaineed
- 2) Crown, Cork and Seal
- 3) General Refractories
- 4) Oriental Gasket

Order SIGNED August 4, 2005.


JUDGE PRESIDING

4:00 PM
AT 8 O'CLOCK
AUG - 4 2005

DISTRICT CLERK, CALHOUN COUNTY, TEXAS

NO. 2000-8-13782

JERRY T. AMASON, and
JOYCE AMASON, ET AL

VS.

OWENS-CORNING FIBERGLAS,
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IN THE DISTRICT COURT

24TH JUDICIAL DISTRICT

CALHOUN COUNTY, TEXAS

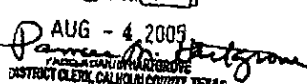
ORDER

Plaintiffs, **Jo Martinez and Maria Martinez**, only, notice of non-suit without prejudice is received, considered, and granted. This suit is dismissed as to the following defendants:

- 1) **Certainfeed Corporation**
- 2) **General Refractories**
- 3) **Oriental Gasket**

Order SIGNED August 4, 2005.


JUDGE PRESIDING

4:00
AT FILED 8
AUG - 4 2005

DISTRICT CLERK, CALHOUN COUNTY, TEXAS

A P P E A R A N C E S

ATTORNEY FOR PLAINTIFF(S):

MR. JOSE SANCHEZ
Wellborn, Houston, Adkison, Mann, Sadler & Hill, L.L.P.
300 W. Main - Box 1109
Henderson, Texas 75653-1109

ATTORNEY FOR DEFENDANT, Certain-Teed:

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Powers & Frost, L.L.P.
2400 One Houston Center
Houston, Texas 77010-2007

ATTORNEY FOR DEFENDANT, UNIROYAL:

MR. NATHAN BOUCHAR
Forman, Perry, Watkins, Krutz & Tardy, P.L.L.C.
400 Woodview Tower
1349 Empire Central
Dallas, Texas 75247

ATTORNEY FOR DEFENDANT, VIACOM, INC.:

MR. JOHN MANICOM
Strong, Pipkin, Bissell & Ledyard
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Houston, Texas 77002

ATTORNEY FOR DEFENDANT, ORIENTAL GASKET & PACKING
COMPANY:

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Stevens, Baldo & Freeman, L.L.P.
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Beaumont, Texas 77701

ATTORNEY FOR DEFENDANT, Georgia-Pacific

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901 Main Street, Suite 4600
Dallas, Texas 75202

7-17.2003