



III.

In further support hereof, Defendant has attached hereto a true and correct copy of the intended Third Party Action setting forth the facts indicating that the said Hydro Products and Technologies, Inc. a/k/a HPT is liable to Plaintiff as above stated.

WHEREFORE, PREMISES CONSIDERED, Defendant requests that the Court grant permission for its filing a Third Party Action against Hydro Products and Technologies, Inc. a/k/a HPT and make such other orders as the Court deems fair and just.

Respectfully submitted,

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BY: \_\_\_\_\_  
GERALD L. BOLFING  
State Bar No. 02574850

ATTORNEYS FOR DEFENDANT,  
LUMEN FOOD CORP.

**NOTICE OF HEARING**

Hearing on Defendant's Motion For Leave To File Third Party Action is set for \_\_\_\_\_ o'clock \_\_\_\_\_, on the \_\_\_\_\_th day of \_\_\_\_\_, 2004, in the Courtroom of the 87th Judicial District Court, in Limestone County, Texas.

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing instrument was this day forwarded in accordance with the Texas Rules of Civil Procedure to all counsel of record, on this the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
GERALD L. BOLFING