

IN THE SUPREME COURT OF TEXAS

=====
No. 96-0287
=====

OWENS-CORNING FIBERGLAS CORPORATION, PETITIONER

v.

ROY MALONE ET AL., RESPONDENTS

=====
ON APPLICATION FOR WRIT OF ERROR TO THE
COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS
=====

- consolidated for oral argument with -

=====
No. 96-0512
=====

OWENS-CORNING FIBERGLAS CORPORATION, PETITIONER

v.

BARBARA WASIAK, ET AL., RESPONDENTS

=====
ON APPLICATION FOR WRIT OF ERROR TO THE
COURT OF APPEALS FOR THE THIRD DISTRICT OF TEXAS
=====

Argued on November 21, 1996

JUSTICE OWEN, concurring in the judgment.

I concur in the judgment. It is unnecessary for the Court to decide whether evidence of pending and future claims or evidence of unpaid punitive damages awards is ever admissible. *See* ___ S.W.2d at ___ (Hecht, J., concurring). Because those questions should be decided if and when they are squarely presented and fully briefed, I do not join in the Court's opinion or either of my concurring colleagues' opinions.

Priscilla R. Owen
Justice

OPINION DELIVERED: June 5, 1998