Monsanto

R. B. Chapman
W. R. Corey
R. Harris/W. E. McCurdy/
W. A. Blase
W. B. Papageorge
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W. W. Withers

EDWIN J. PUTZELL, JR.
Vice President
General Counsel and Secretary

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63166
(314) 694-2825

21 March 1974

Mr. Walter A. Schlotterbeck
Vice President and Corporate Counsel
General Electric Company
570 Lexington Avenue
New York, New York 10022

Dear Mr. Schlotterbeck:

This is to advise you that on March 18, 1974, we received notification from our registered agent that on March 13, 1974, we had been served with pleadings naming Monsanto Company, along with General Electric Company and others, as defendants in two additional actions in the Circuit Court for Roane County, Tennessee.

Edward Humphreys and Elsie Humphreys v. General Electric, Moss Trucking Company and Monsanto Company
Circuit Court for Roane County, Tenn. No. 4554

Edwin R. Humphreys and Zelma Ruth Humphreys v. General Electric, Moss Trucking Company and Monsanto Company
Circuit Court of Roane County, Tenn. No. 4555

Copies of pleadings in these cases are enclosed. These cases are based on an incident allegedly occurring on or about March 5, 1973 in Roane County, Tennessee, involving the alleged leakage of dielectric fluids containing polychlorinated biphenyls from a GE transformer in transit. As you will recall, this is the same incident on which the two cases which we informed you of on March 15, 1974 are based.

Pursuant to the "Special Undertaking by Purchasers of Polychlorinated Biphenyls" agreement between our companies dated

PLAINTIFF'S EXHIBIT 49

IDS 003064

January 21, 1972, Monsanto requests that you assume the defense of Monsanto in these actions and indemnify and hold Monsanto harmless from any judgment which may be obtained against us.

Please note that we believe an answer is due on our behalf in these cases within thirty days of date of service on us, which was March 13, 1974.

In accordance with our agreement we stand ready to provide reasonable assistance to GE in the defense of these actions. We have advised our insurance carrier, The Travelers Insurance Company, of the pendency of these suits. We have also advised an attorney long associated with Monsanto on many matters and who previously had investigated certain aspects of this incident, Lon P. MacFarland, MacFarland, Colley, Blank & Jack, Middle Tennessee Bank Building, P. O. Box 1004, Columbia, Tennessee 38401, of the pendency of these cases. We recommend before answering or reaching any decision on local counsel or removal that you contact Mr. MacFarland, who will be coordinating matters on these cases for Monsanto.

We request and look to you and your attorneys to work out satisfactory lines of communications with Mr. MacFarland, for keeping Monsanto and the Travelers informed of developments in these cases, and to obtain from us and from Travelers such reasonable assistance as we can give to the defense of these actions.

Should you need to make contact directly with Monsanto on matters pertaining to the defense of Monsanto in these cases, will you please contact Wayne Withers here at our St. Louis office.

Best regards.

Sincerely,

IDS 003065

Edwin J. Putzell, Jr.

cc: Mr. Robert F. Conlon, The Travelers Insurance Company, Hartford, Connecticut
Mr. Karl F. Meyer, The Travelers Insurance Company, St. Louis, Missouri
Mr. Lon P. MacFarland

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