

PLAINTIFF'S EXHIBIT

BIR-373

goes copy
to Mr.
Wheeler's
copy only

BIRD 011377



May 31, 1989

Daniel R McDonald Esquire
Hughes Burhans and McDonald
10 Ellicott Street
P O Box 566
Batavia NY 14021-0566

RE: SAINT MARY'S CHURCH
FILE #11-172-85-52

Dear Mr. McDonald:

Bird Incorporated has scheduled an on-site inspection and removal of shingle samples from the roof of the above building on June 22, 1989 at 10:00 AM. The shingle samples will then be forwarded to our Quality Control Laboratory for careful examination.

Our Sales Representative, Mr. Steve Tybor, will be present for the inspection. Mr Ronald Wheeler of Batavia agreed to remove the shingle samples for us and replace the affected shingle area with new shingles of similar color.

Thank you.

Sincerely,

Cliff J Patenaude
Clifford J Patenaude
R & D and Q C Manager

CJP/bd

cc: Mr Ronald Wheeler
8233 State Street
Batavia NY 14020

Rev Frank Knab
St Mary's Roman Catholic Church
18 Ellicott Street
Batavia NY 14020

Mr James F Haitz President
Five Star Roofing
218 West Main Street
Batavia NY 14020

Mr Frank S Anthony
Vice President and General Counsel

Mr Steve Tybor
Bird Sales Representative

*The cost for the removal and replacement of shingle samples shall not exceed \$200.