PLAINTIFF'S EXHIBIT

BIR-361

Incorporated

Richard C. Maloof
President
Roofing Division

November 15, 1989

Mr. and Mrs. Livio F. Lupoli
18 Peppermint Lane
Johnston, Rhode Island 02191

Dear Mr. and Mrs. Lupoli:

Thank you for your letter of November 15th. I have reviewed your file with our quality control manager, Cliff Patenaude.

As pointed out in Mr. Patenaude's letter of October 18, the shingles on your roof were purchased with a non-transferable warranty, as they were installed in 1983 by the former owner. Our company policy does not permit us to extend a non-transferable warranty to a subsequent owner.

In addition, our laboratory analysis indicates that the shingles were manufactured to our specifications. In spite of the slight weathering condition I see in the photographs, I still think there is life in them.

Very truly yours,

Richard C. Maloof

RCM:VC

copy: Frank S. Anthony, Esq.
Vice President and General Counsel

Clifford J. Patenaude
Quality Control Manager