

136A26
November 9, 1933.

Messrs. Herman & Ernst,
Attn. Harry E. Herman, Esq.,
122 East 42nd St.,
New York City.

Dear Mr. Herman:

Referring to your letter of November 6, with reference to the Tuller & Moosman case, I regret that on account of a severe cold I have been out of the office practically ever since I talked with you.

I came in this afternoon and find that Mr. Donohoe, Mr. Zintl, Mr. Denning, and everyone else in authority, are attending a Paint Manufacturers' Convention in Chicago, hence it was impossible for me to discuss with them the various points which you have raised.

I believe that under the circumstances you may as well go ahead and file your reply to the pleadings, upon the theory that we will test the matter out.

As soon as Mr. Donohoe returns, however, I will take up the matter with him.

I will be in Boston for several days next week and will get in touch with you immediately upon my return.

Yours truly,

CMS/NEH

Of Counsel.