file H+S misc

VIA FEDERAL EXPRESS



October 12, 1990

Mr. Robert M. James
Aluminum Company of America
1501 Alcoa Building
Pittsburgh, Pennsylvania 15219

Re: Asbestos Litigation

Dear Mr. James:

Certain of Eastman Kodak Company's former employees have commenced lawsuits here in Rochester against Owens-Corning Fiberglas and other asbestos manufacturers claiming that they sustained asbestosis, mesothelioma and other injuries after coming into contact with asbestos while on the job at Kodak. Owens-Corning Fiberglas and certain other asbestos manufacturers are taking the position that any injuries sustained by these plaintiffs was the fault of Kodak in allegedly not providing the employees with a safe place to work.

Owens-Corning Fiberglas has actually brought Kodak into one such lawsuit as a third-party defendant and in other lawsuits is seeking to identify documents and witnesses to support this claim. Of course, Kodak vigorously disputes these allegations by the manufacturers and believes that it was the manufacturers' failure to warn adequately of the hazards of asbestos which contributed to the workers' injuries.

I am writing now to alert you that your names have surfaced during the course of discovery in this litigation and to advise you that you may be contacted by a representative of Owens-Corning Fiberglas, another asbestos manufacturer or an attorney or investigator acting on their behalf.

You should know that if someone does contact you, you have no obligation to speak with them. What you do say can be recorded or noted and later used in the course of an action against Kodak. It is also possible that statements can be taken out of context and used to contradict you if you should play a role in the litigation at a later date. While it is your decision whether to talk with these representatives, you should be aware of the implications connected with doing so.

EASTMAN KODAK COMPANY · LEGAL DEPARTMENT
343 STATE STREET · ROCHESTER, NEW YORK 14650-0207

Kodak's outside counsel, Brian Zorn, or I will be in touch with you in the near future to arrange a conference call or a meeting to discuss your recollections in detail. In the meantime, if you are approached, please contact Brian (716-546-8000) or myself (716-724-2479). I am looking forward to speaking with you at that time.

Very truly yours,

James M. Quinn

JMQ:rv
(716) 724-2479

cc: Brian M. Zorn, Esq.