SANGAMO WESTON
Schlumberger
SANGAMO CAPACITOR DIVISION
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November 8, 1976

Emergence in prod. market 11/12/7

Mr. Rodney Harris
Associate General Counsel and
Assistant Secretary
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63166

Re: David Brissey, et al v. Sangamo Electric Company, Inc., Monsanto Company U.S.D.C.S.C. Anderson Div. Civil Action No. 76-1671

Dear Mr. Harris:

This will acknowledge receipt of your letter of October 7, 1976, in which you have requested that Sangamo hold harmless and indemnify Monsanto in the above captioned action to which Sangamo is also a party. At this point in time Sangamo declines your request, since no liability of Monsanto has yet been fixed or established regarding any of the matters discussed in that document dated January 14, 1972, and captioned "Special Undertaking By Purchasers of Polychlorinated Biphenyls". Furthermore, Sangamo itself denies liability and intends to put forward a vigorous defense to this action.

You have also requested that we pay Monsanto's attorneys' fees, costs and other expenses incurred as a result of this action. At this point, Sangamo must also decline to pay any expenses in connection with this litigation, since: one, no liability of Monsanto has yet been fixed or established; two, it has not yet been ascertained whether the document referred to as "Special Undertaking By Purchasers of Polychlorinated Biphenyls" is applicable under the facts alleged in this action; and, finally, the document itself is of questionable validity. In summary, Sangamo stands ready to cooperate fully with Monsanto in this matter; however, at present we decline either to idemnify Monsanto or to pay its expenses in connection with this litigation. When the liability of Monsanto and the applicability and validity of the document in question have been established, we will reconsider your request.

Sincerely,

SANGAMO CAPACITOR DIVISION

J. C. Hydrick
Vice President

JCH:dr

cc: Mr. Jess Butner
Mr. Gray Geddie
Mr. W. T. Long
Mr. Neal Sullivan

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