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November 11, 1991
18371-1

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Midland, MI 48674

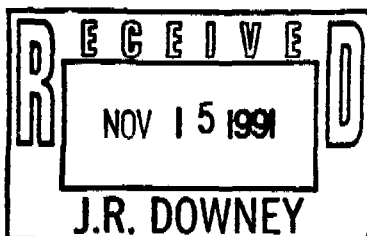
Re: Alice L. Warren, Administratrix v. The Dow Chemical
Company, Union Carbide, et al.; U.S.D.C., Civil Action
No. 89-30201F

Dear John, Judy and Mary:

On November 7, 1991, I attended the deposition of Ronald H. Burnett in St. Louis. Given that Mr. Burnett did not provide any new information, we will not, at this point, provide you with a detailed summary of his deposition testimony. Nevertheless, please note that Mr. Burnett could not identify Union Carbide, Conoco or B.F. Goodrich as suppliers of VCM to Monsanto during the decedent's alleged exposure period.

Also, Mr. Burnett testified that there was a Dow contract, but he did not know the specifics or details of the contract -- nor did he know the date of the Dow contract. Plaintiff's counsel never asked Mr. Burnett whether any shipments of VCM were made by Dow to Monsanto pursuant to that contract.

I also note that during the deposition, plaintiff's counsel showed Mr. Burnett a copy of the computer printout sheet purportedly setting forth the details of the Dow contract (over my repeated objections). Mr. Burnett responded, however, that



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HYANNIS, MASSACHUSETTS
COUNSEL: AMSTERDAM • LONDON • TOKYO

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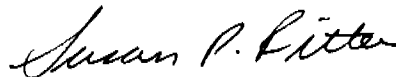
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the computer printout sheet did not refresh his recollection as to the specifics of the Dow contract.

It is my understanding that plaintiff's counsel has agreed to a dismissal with prejudice as to Union Carbide and Conoco. We should know by the November 13, 1991 status conference whether plaintiff's counsel will be true to his word. //✓

In the meantime, we will continue to keep you advised of further developments as they occur.

Very truly yours,



Susan P. Ritter

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