

GRACE

Construction Products Division



TO: W. V. Culver - CPD/Auburn DATE: December 11, 1986
FROM: J. S. Hamilton, Jr. SUBJECT: U. S. Mineral
cc: T. P. Feit - CPD/Santa Ana
J. W. Hughes
R. H. Locke

The attached memo from Jay Hughes should be self-explanatory. I appreciate your keeping me informed of these issues. Don't forget, we will win the war.

A handwritten signature in cursive script, appearing to read "John S. Hamilton, Jr." with a stylized flourish at the end.

JSH/acd

J. S. Hamilton, Jr.

Att.

DEC 9 1986

F 101
USMCONFIDENTIAL LEGAL MEMORANDUM
(Attorney's Work Product)

TO: J. S. Hamilton

cc: O. M. Favorito
R. H. Locke

FROM: J. W. Hughes, Jr.

DATE: December 8, 1986

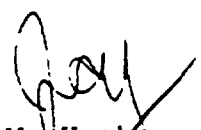
RE: United States Mineral Products Co.

Pursuant to your request, I have reviewed USM's letter to John Graham Company concerning the Madigan Hospital project and have the following comments:

1. The only sentence in the letter which might be considered objectionable is the last line of the third paragraph reading "Whether or not they comply with current EPA laws is for you to value." Even there, however, USM is careful to avoid any affirmative statement that Monokote does not comply with EPA regulations and therefore, the statement is not entirely inaccurate.

2. The Madigan Hospital specification calls for spray fireproofing "free of all forms of asbestos". If Grace pursued legal action in this case our position that Monokote complies with no asbestos specifications would certainly come into question.

3. Even if legitimate grounds existed for pursuing this matter, the letter didn't cause Grace to suffer any damages. As Culver admits, Grace lost the job for reasons other than the tremolite contaminant in Monokote.



J. W. Hughes, Jr.

JWH/lmm

DEL 1986

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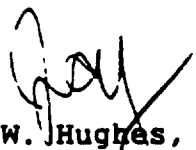
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