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October 29, 1991
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Mary Sundt, Esquire
The Dow Chemical Company
D30 Willard H. Dow Center
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:

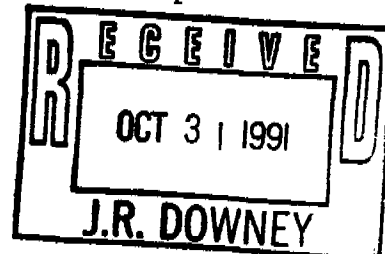
On October 25, 1991, I spoke with Ron Burnett. The telephone conference was set up by Monsanto's in-house counsel, Marty Zucker, and Mr. Zucker remained on the phone during the conference.

Basically, Burnett cannot identify any of the suppliers of VCM during the time period he worked at Monsanto. In 1951 and 1952, Burnett was the manager of the "Plastics Division Purchasing Group" at Monsanto's facility in Springfield. His group was responsible for placing purchase orders requested by the "product and traffic group." This latter group was responsible for placing orders for tank cars of VCM.

I asked Burnett whether he had any specific recollection of VCM purchases from Union Carbide, Dow or Conoco, and he stated that he could not recall any specific purchases from those suppliers. Burnett did confirm, however, that VCM purchases

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COUNSEL: AMSTERDAM • LONDON • TOKYO



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were made from other suppliers when Monsanto was unable to produce enough VCM to satisfy production requirements. Burnett also stated that he would not be surprised to learn that such purchases were made from Union Carbide, Dow, or Conoco. Marty Zucker then jumped into the conversation and said, "Basically, what you are saying is you cannot say that Dow, Conoco or Union Carbide supplied VCM on any given date, but then again you cannot say that they did not supply VCM on any given date." In response, Mr. Burnett stated, "Yes, that is correct."

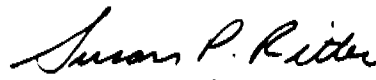
Thus, given that Mr. Burnett cannot identify any suppliers of VCM during the decedent's exposure period, his deposition will undoubtedly be a waste of time. On the other hand, plaintiff's counsel assures us that if nothing new is learned during Burnett's deposition, he will agree to dismiss Union Carbide and Conoco without prejudice.

I have enclosed a copy of a Notice of Deposition regarding Mr. Burnett's deposition (which is scheduled for November 7, 1991, in St. Louis). Please note that the deposition notice is a 30(b)(6) notice, and we are trying to determine whether plaintiff's counsel really intends to take another 30(b)(6) deposition of Monsanto or whether the 30(b)(6) designation is a mistake.

Finally, please also note that the deposition of plaintiff Alice Warren is scheduled for November 11, 1991. It is my understanding that Mary Sundt will discuss the sharing of costs and expenses for that deposition with each of you individually.

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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