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September 15, 1994

WORKERS'
COMPENSATION

SEP 15 1994

Mr. Anthony Colangelo
Sherwin-Williams
101 Prospect Avenue, N.W.
Cleveland, Ohio 44115-1075

REDACTED

RE: Sherwin-Williams vs.

Dear Tony:

In follow up to our recent telephone conversation, I am writing to confirm that [REDACTED] has made an offer of \$2,000.00 to settle this claim. Although there is some question as to the amount that [REDACTED] was overpaid, my calculations indicate that the overpayment was \$8,324.17.

[REDACTED] is financially strapped. He owes back taxes to the Internal Revenue Service, he owes hospital bills that were incurred by his family and himself at a time when he was not insured and he is attempting to put together an efficient, successful dairy farm which is failing badly. The prices of milk have fallen dramatically in recent months and the dairies to which he supplies milk have eliminated or reduced their incentive payments to him and other farmers. This has hurt him severely.

In short, he cannot repay the overpayment in full. He has offered to pay \$2,000.00 and his parents will loan him that money. If we obtain a Judgment, a Judge would order [REDACTED] to make payments to Sherwin-Williams in an amount that he can afford. He cannot afford much. Reimbursement, by installments could take a very long time.

In summary, [REDACTED] does not have the ability to repay the overpayment which we estimate to be \$8,324.17. On the other hand, he has offered to obtain a loan from his parents and pay \$2,000.00 to satisfy Sherwin-Williams' claim. Considering [REDACTED] dire circumstances, [REDACTED] proposal is attractive. As I mentioned in our recent telephone conversation, Judges in Maine tend not to penalize Defendants who do not have the ability to repay debts.

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