



PLAINTIFF'S EXHIBIT

NAR-115

NORTH AMERICAN REFRACTORIES CO.

A SUBSIDIARY OF ELTRA CORPORATION

NATIONAL CITY EAST 6th BUILDING • CLEVELAND, OHIO 44114

July 3, 1967

Eagle-Picher Company
American Building
Cincinnati, Ohio

Attention : Mr. Ed. Hall
Industrial Insulation Products Div.

Reference : Our Purchase Order No. 78882 for Armco Steel Corp.
Middletown, Ohio

Gentlemen:

Our customer received materials covered by reference purchase order on June 27 and phoned to say that they were very disappointed with the condition of the shipment as received. They informed us that although the material was strapped upon pallets as we requested, the strapping was very poorly done. The straps were loose and as a consequence, some of the pallets came apart, with the result that bags were strewn all over the truck. Our customer indicated that their Receiving Department found it necessary to re-palletizing the entire shipment before they could unload it. They also stated that a number of bags were broken and material was lost as a consequence.

We suggested to our customer that they enter a claim with the carrier to cover their losses. They in turn stated they might do this, but they were concerned primarily about future shipments. They stated flatly that they would not accept delivery of another shipment in the same condition. They attribute part of the blame to the fact that this material was apparently shipped in a van-type truck, and request that future shipments be made on flat bed equipment only and material should be loaded for side unloading.

We will endeavor to stipulate the use of flat bed equipment on our future orders, but request you also mark your records to indicate our customer's instructions just given and would like you to caution your plant to see that the bags are properly strapped on to the pallets. We are paying what we consider to be a high charge for strapping these bags on pallets and firmly believe our customers have every right to expect the pallets to reach them in good condition. As a matter of fact, we feel justified in requesting that you issue a credit memo to allow for the cost of the palletizing, which we in turn will pass on to this very good customer for the inconvenience and costs incurred as a result of their having to re-palletize the shipment before they were able to unload the material. We look forward to having your cooperation in this regard.

Very truly yours,

NORTH AMERICAN REFRACTORIES CO.

UNR 001021

G. W. Spahlinger-Sales Department



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