

CELOTEX

THE CELOTEX CORPORATION

GENERAL OFFICE
1500 NORTH DALE MABRY
TAMPA, FLORIDA 33607

PLAINTIFF'S EXHIBIT

BIR-428

November 20, 1969

Mr. W. E. Smith
BIRD & SONS
East Walpole, Massachusetts

Dear Bill:

This is to confirm our meetings and discussions concerning the swap purchase arrangement on asbestos felt products.

The arrangements we decided upon are as follows:

1. We will ship to you from our Birmingham, Alabama roofing plant both No. 15 Asphalt Saturated Asbestos Felt and No. 43 Asbestos Coated Base Sheet. The pricing of these two products is as follows:

Asbestos Felt \$6.40/roll f.o.b. plant.
Asbestos Base Sheet (2 square) \$6.10/roll f.o.b. plant.

2. You will sell us from your East Walpole, Mass. roofing plant No. 15 Asphalt Saturated Asbestos Felt and No. 43 Asbestos Coated Base Sheet. The pricing of these products will be as follows:

Asbestos Felt \$6.40/roll f.o.b. plant.
Asbestos Base Sheet (2 square) \$6.10/roll f.o.b. plant.

3. We will ship you from our Chicago, Illinois roofing plant your requirements of No. 43 Asbestos Coated Base Sheet on a straight purchase arrangement. The pricing structure for base sheet from Chicago will be \$4.49/roll for a 1-1/2 square roll and \$5.98/roll for a 2 square roll. These prices are f.o.b. our Chicago plant.

For shipment from East Walpole, we will furnish you our wrappers for the Asbestos Base Sheet and felt tapes for the Asbestos Felt. On your shipments from our Birmingham plant you will furnish us with full wrappers for the base sheet and felt tapes for the Asbestos Felt. For an interim period until you get your base sheet wrapper designed, we will ship you Asbestos Base Sheet from Chicago in plain wrappers. You can then stencil the necessary information on the wrapper as you require it.

For estimating purposes, so that we can get similar quantities of material on our swap arrangement, I suggest we use 15,000 rolls as the projected quantity on Asbestos Felt and 10,000 squares as the projected quantity on Asbestos Base Sheet. (The base sheet is in squares since we will be shipping possibly 1-1/2 squares as well as 2 square rolls).

It appears now that we will be able to handle shipments for you from Birmingham beginning in January. We can begin shipping Asbestos Base Sheet for you from Chicago beginning the week of November 24.

Copies of this letter will be sent to our order groups involved in order to advise them of our arrangement and pricing structure. For simplicity sake, I suggest that orders be handled between our local offices and plants so that we do not have to be involved with each order placed.

If you have any corrections or changes to the way I have outlined our agreement above, please contact me as soon as possible so that these changes can be recorded.

Very truly yours,

Sam Brasher

S. E. Brasher
Product Manager
Commercial Roofing & Waterproofing

SEB:byl