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Arthur, Helen
15
UNION CARBIDE CORPORATION

270 PARK AVENUE

NEW YORK, N. Y. 10017

LAW DEPARTMENT

October 12, 1979

Edward J. Brzytwa, Esq.
Squire, Sanders & Dempsey
1800 Union Commerce Building
Cleveland, Ohio 41115

RE: Helen Arthur v. B.F. Goodrich
Chemical Co., Inc. (including
Union Carbide Corporation)

Dear John:

We have agreed on the advisability of filing a Motion for Summary Judgment based on Union Carbide records of sales to B.F. Goodrich Avon Lakes Facility from 1954 to October, 1969. We have extensive sales records for the years from 1963-1969 except 1967 which cannot be located at the present time. Copies attached. The 1969 records are not particularly clear and we will try to get a better copy and sequence for our use. As the records show, Union Carbide made extensive sales to Avon Lakes during that time, but none which include VC, PVC or products containing either material. The records should be read up from Avon Lakes until the facility above is reached to understand product listings.

Further, I have checked with R.N. Wheeler who has the greatest knowledge of the VC and PVC business and his firm belief is that no VC, PVC or products went to Avon Lakes production facility before 1971. There may have been sales of dispersion VC resins in 1972 but none before that. Nick also notes that small batches of PVC resins may have gone to the Avon Lakes research facilities because it was common practice for competitors to purchase resins for each other for analytical and test purposes. Small batches might not be reflected in the computer records.

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ORDER"

UCC 074387

I noticed that Mr. Arthur worked at the technical center during February - September of 1954, but we have no records to show that he was exposed to VC, and Nick has no specific knowledge that any such resins were in fact sold to Goodrich.

As we discussed the Motion suggested in your June 29th letter should be revised in some respects. Use of our interrogatories from 1971-1975 is no longer fully appropriate since we have copies of computer records which have greater relevance for the 1954-1969 framework involved.

We look forward to receiving a copy of the revised motion.

Best regards,

Mary Manetti
Mary Q. Manetti

MGM:bkw

Enclosure:

cc: R.L. Doan, Esq.
J.T. Lucking, Esq.
R.N. Wheeler

*copy of sales records in
background material*

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