

December 8, 1937.

Harry E. Herman, Esq.,  
Chanin Building,  
122 East 42nd St.,  
New York City.

Dear Mr. Herman:

I have your letter of December 3, 1937, advising that the Tuller & Mooseman action has resulted in a judgment in our favor in the amount of \$3,557.03. This outcome is very satisfactory and I trust that in due course the judgment will be paid.

It is indeed fortunate that John Kennedy & Company were able to sustain their claim against the City, thus resulting in funds being available for the satisfaction of our judgment.

I hope you are right in your belief that the case will not be appealed.

With best regards, I am

Yours very truly,

Of Counsel.

CMS/NEH

P.S. What is the status of the paint located at the Everett warehouse. Does this judgment leave the title to this material in ourselves or in Tuller & Mooseman. If in Tuller & Mooseman, it may be necessary to secure their permission before disposing of the material. My file is rather incomplete on this phase of the subject and if there is anything in your file that would throw any light on the question, please let me know.

C.M.S.