PORTER

H. K. PORTER COMPANY, INC.
ELECTRICAL DIVISION

PORTER BUILDING • PITTSBURGH, PENNSYLVANIA 15219

GENERAL OFFICES
AREA CODE 412
TEL. 391-1800

April 3, 1972

COPIED FOR P.S.PARK 4/5/72:
What is the status?
H.S.Bergen

Mr. Howard S. Bergen, Jr.
Director Specialty Products
Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63166

Dear Mr. Bergen:

This will confirm our telephone conversation of March 30. At that time we discussed your proposed indemnification Agreement regarding future sales of Askarel to us. As I told you, our sole objection to the Agreement you propose is the word "purchase" occurring in line 10 of paragraph 3 on the first page of the two-page Agreement. Our concern is that we should not be liable merely by the act of purchase but rather from the point of receipt of the goods and thereafter. You indicated you would transmit this discussion to your attorneys who in turn might contact our Mr. T. P. Luscher, Secretary and General Counsel.

Meanwhile I am enclosing our Annual Report for the H. K. Porter Company, Inc. as you requested - and if we can provide any further needed information I will be pleased to hear from you. As you know our Canadian Company has received a similar proposed Agreement from your Canadian affiliate and we, of course, seek approval to continue the purchase of Askarel in both the States and in Canada. I look forward to any early Agreement.

Very truly yours,

H. K. PORTER COMPANY, INC.
Electrical Division

J. S. Banas
Vice President & General Manager

JSB:SK
Enc.

CC: Mr. T. P. Luscher - Executive Office

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