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LIBERTY MUTUAL

175 Berkeley Street, Boston, Massachusetts 02117 · Tel. (617) 357-9500

November 24, 1971

Phocian Park, Esq.
Legal Department, Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri

SUBJECT: BALDWIN - MONSANTO

Dear Mr. Park:

You will recall that on my recent visit to St. Louis, you delivered to me the Summons and Complaint in the case of Kenneth Baldwin vs Michigan Silo and the Monsanto Company. This Summons, which was filed in the Court of Common Pleas, Highland County, Ohio, seeks recovery of $150,000 in damages.

In reviewing the Complaint, I note that Paragraph 7 alleges that, "on or about August 9, 1971, plaintiff was notified by the Department of Agriculture of the State of Ohio, that milk from his herd contained 'Aroclor 1254' in excess of 0.2 parts per million and prohibited plaintiff from marketing milk produced from his herd." The plaintiff goes on to allege that he has suffered innumerable damages resulting from the incident which occurred on August 9, 1971.

As you know, Monsanto's coverages with Liberty Mutual terminated on March 1, 1971. As the plaintiff's damages have all occurred after this date, there can be no coverage for this loss. It is suggested that you immediately refer this matter to your present carrier for handling

Very truly yours,

William E. Urmston

WILLIAM E. URMSTON
Examiner
Special Claims Division

WEU:bld

CC Jacob F. Hess, Jr., Esq.

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