

43307

L.T.  
Warren/Alice  
Cv

UNION CARBIDE CHEMICALS AND PLASTICS COMPANY INC.

Law Department

May 1, 1991

TO: John R. Downey, Esq.  
RE: Alice L. Warren, Administratrix v. Union Carbide, et al.  
(Invoice dated 4/23/91)

This is to inform you that the above-captioned invoice has been  
forwarded for payment.

/es

Attachment

PRIVILEGED AND  
"CONFIDENTIAL MATERIAL  
SUBJECT TO PROTECTIVE  
ORDER"

LIT  
NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE  
BOSTON, MASSACHUSETTS 02110-2699

TELEPHONE: 617 439-2000 FACSIMILE: 617 973-9748

DIRECT DIAL NUMBER

(617) 439-2460

April 23, 1991  
18371-1

John R. Downey, Esq.  
Union Carbide Chemicals and Plastics Company, Inc.  
Law Department  
39 Old Ridgebury Road  
Danbury, CT 06817-0001

Re: Alice L. Warren, Administratrix  
v. The Dow Chemical Company, Union Carbide, et al

Dear John:

I enclose our statement for services rendered for the period ending March 31, 1991. Your share of this bill is \$1,638.06. Please let me know if you have any questions.

Best regards.

Very truly yours,

*Sharon R. Burger*  
Sharon R. Burger

SRB/jlf  
enclosure  
5178i/38

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*OK J. Downey*

*4/24/91*

*Proj # 13-3326*

RECEIVED  
APR 26 1991

J. R. Downey

HYANNIS, MASSACHUSETTS  
COUNSEL: AMSTERDAM • LONDON • TOKYO

UCC 080843

NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE  
BOSTON, MASSACHUSETTS 02110-2699  
(617) 439-2000

April 23, 1991

John R. Downey, Esq.  
Union Carbide Chemicals and Plastics Company, Inc.  
Law Department  
39 Old Ridgebury Road  
Danbury, CT 06817-0001

Judith Elledge, Esq.  
Conoco Inc.  
600 North Derry Ashford  
P.O. Box 2197  
Houston, Texas 77252-2197

Mary Sundt, Esq.  
The Dow Chemical Company  
D30 Willard H. Dow Center  
Midland, Michigan 48674

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Client 018371  
Matter 0001

Bill No. 62744  
SRB

FOR PROFESSIONAL SERVICES rendered and unbilled  
through March 31, 1991 in connection with Alice L. Warren,  
Administratrix of the Estate of John Warren v. The Dow  
Chemical Company, et al, including:

| Date     | Description                                                                                                                                                                                                   | Aty | Hours |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------|
| 03/01/91 | Revise letter to clients regarding medical records of Mrs. Warren.                                                                                                                                            | SLP | 0.10  |
| 03/04/91 | Attention to correspondence regarding discovery; attention to Notice of Deposition of C.Rehm and letter to counsel regarding same; attention to correspondence from Union Carbide's insurer regarding status. | SRB | 0.40  |
| 03/05/91 | Telephone call from J.Downey regarding case status and strategy; letter from M.Sundt regarding insurance coverage.                                                                                            | SRB | 0.60  |

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John R. Downey, Esq.  
 Judith Elledge, Esq.  
 Mary Sundt, Esq.  
 April 23, 1991  
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| Date     | Description                                                                                                                                                                                                                                                                                                                                                  | Aty | Hours |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------|
| 03/07/91 | Attention to receipt of deposition transcripts and letter to clients regarding same; process reporter's statement regarding same; letters to Union Carbide's insurers regarding status.                                                                                                                                                                      | SRB | 0.30  |
| 03/12/91 | Attention to receipt of discovery papers and amended Complaint.                                                                                                                                                                                                                                                                                              | SRB | 0.20  |
| 03/13/91 | Telephone call to R.Powers regarding Monsanto witnesses/depositions; telephone call to M.Sundt regarding billing, discovery and amended pleading.                                                                                                                                                                                                            | SRB | 0.50  |
| 03/13/91 | Arrange key document file from Union Carbide documents to be produced to plaintiff.                                                                                                                                                                                                                                                                          | SLP | 1.00  |
| 03/14/91 | Telephone conference with R.Powers regarding Monsanto witnesses.                                                                                                                                                                                                                                                                                             | SRB | 0.30  |
| 03/15/91 | Telephone call from J.Rendini and office conference with S.Parsons regarding Motion to Amend; brief review of discovery responses and office conference with S.Parsons regarding same.                                                                                                                                                                       | SRB | 1.20  |
| 03/15/91 | Conference with S.Burger regarding contacting Monsanto's counsel about 30(b)(6) designee's and plaintiff's answer to written discovery; telephone from R.Powers regarding Monsanto designee with knowledge of VCM sales; review plaintiff's responses to Dow's, Union Carbide's and Conoco's discovery and draft and revise letter to client regarding same. | SLP | 1.50  |

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 Judith Elledge, Esq.  
 Mary Sundt, Esq.  
 April 23, 1991  
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| Date     | Description                                                                                                                                                                                                                                                                                                                                                                   | Aty | Hours |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------|
| 03/18/91 | Review draft of B.F. Goodrich's Opposition to Motion to Amend; office conference with S.Parsons regarding Monsanto Records Keeper deposition and witness and regarding Motion to Amend; review correspondence regarding discovery from S.Parsons to clients; telephone call from J.Rendini regarding Opposition to Motion to Amend (93A).                                     | SRB | 1.40  |
| 03/18/91 | Conference with S.Burger regarding opposition to plaintiff's motion to amend; research requirement of demand letter to corporation with assets outside Massachusetts; telephone call to J.Elledge regarding recommendation not to file opposition to plaintiff's motion to amend, telephone to Mary Sundt regarding recommendation not to oppose plaintiff's motion to amend. | SLP | 0.80  |
| 03/19/91 | Telephone conference with S.Parsons regarding plaintiff's answers to Dow's interrogatories; review those answers to interrogatories and placed telephone call to M.Sundt regarding same; review recent Massachusetts decision regarding burden of proof in a warnings case.                                                                                                   | SRB | 1.20  |
| 03/19/91 | Telephone call to plaintiff's counsel regarding response to Dow's interrogatories and correction to same; telephone to J.Downey regarding recommendation not to file opposition to plaintiff's motion to amend.                                                                                                                                                               | SLP | 0.30  |

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John R. Downey, Esq.  
 Judith Elledge, Esq.  
 Mary Sundt, Esq.  
 April 23, 1991  
 Page 4

| Date     | Description                                                                                                                                                                                                                                                                                                                                               | Aty | Hours |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------|
| 03/20/91 | Attention to court endorsement of Motion to Amend; telephone call to J.Rendini regarding same and letter to clients regarding same; begin review of plaintiff's interrogatory answers to Conoco and Union Carbide and review plaintiff's responses to document requests; further telephone conference with J.Rendini regarding status and legal theories. | SRB | 1.20  |
| 03/22/91 | Research law regarding identification of manufacturer.                                                                                                                                                                                                                                                                                                    | LJS | 0.30  |
| 03/22/91 | Review correspondence to client regarding court's allowance of plaintiff's motion to amend.                                                                                                                                                                                                                                                               | SLP | 0.10  |
| 03/25/91 | Review recent case law regarding medical causation and product identification; brief office conference with S.Parsons regarding pleadings.                                                                                                                                                                                                                | SRB | 0.40  |
| 03/25/91 | Conference with S.Burger regarding filing of answer to amended complaint, finish review of key Union Carbide documents to be produced to plaintiff.                                                                                                                                                                                                       | SLP | 1.50  |
| 03/26/91 | Office conferences with S.Parsons regarding answers to Amended Complaint; brief review of B.F. Goodrich's response to plaintiff's request for documents and office conference with S.Parsons regarding same; review recent trial reports in Massachusetts Lawyers Weekly and letter to J.Tourtelotte regarding same.                                      | SRB | 1.00  |

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John R. Downey, Esq.  
 Judith Elledge, Esq.  
 Mary Sundt, Esq.  
 April 23, 1991  
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| Date                          | Description                                                                                                                                                                                                                              | Aty | Hours |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------|
| 03/26/91                      | Research law regarding 93A claim; conference with S. Parsons.                                                                                                                                                                            | LJS | 0.40  |
| 03/26/91                      | Draft answers to plaintiff's Second Amended Complaint and conduct 93A research on affirmative defense; conference with S.Burger regarding same; draft letter to clients regarding Goodrich's responses to plaintiff's document requests. | SLP | 2.50  |
| 03/27/91                      | Further revisions to answers to Second Amended Complaint                                                                                                                                                                                 | SLP | 0.30  |
| 03/28/91                      | Review Answer to Second Amended Complaint and office conference with S.Parsons regarding same; telephone conference with M.Sundt.                                                                                                        | SRB | 0.90  |
| 03/28/91                      | Finalize answers to Second Amended Complaint; letter to client regarding same; telephone call to plaintiff's counsel's office.                                                                                                           | SLP | 0.50  |
| 03/29/91                      | Telephone to plaintiff's counsel's office re: response to Second Amended Complaint; revise correspondence to clients regarding B.F. Goodrich's document responses.                                                                       | SLP | 0.30  |
| Total Hours...For Matter 0001 |                                                                                                                                                                                                                                          |     | 19.20 |

|               |      | Rate   |            |
|---------------|------|--------|------------|
| BURGER, S.R.  | 9.60 | 220.00 | 2,112.00   |
| PARSONS, S.L. | 8.90 | 155.00 | \$1,379.50 |
| SHAPIRO, L.J. | 0.70 | 95.00  | 66.50      |

|                         |            |
|-------------------------|------------|
| Total for Services..... | \$3,558.00 |
|-------------------------|------------|

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NUTTER, McCLENNEN & FISH

John R. Downey, Esq.  
Judith Elledge, Esq.  
Mary Sundt, Esq.  
April 23, 1991  
Page 6

DISBURSEMENTS recorded and unbilled  
through March 31, 1991

|                        |         |
|------------------------|---------|
| POSTAGE                | \$42.85 |
| PHOTOCOPYING           | 485.80  |
| WORD PROCESSING        | 81.98   |
| MILEAGE, TOLLS, PARKNG | 123.70  |
| TELEPHONE              | 12.86   |
| TRANSCPTS OF TESTMNY   | 555.00  |
| OVERNIGHT COURIER      | 54.00   |

Total Disbursement.....

-----  
\$1,356.19

Total This Bill.....

\$4,914.19

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