

Ford Motor Company

EX-8 '65

OFFICE OF THE GENERAL COUNSEL

THE AMERICAN ROAD
DEARBORN, MICHIGAN

March 7, 1966

G. Cameron Buchanan, Esq.
Alexander, Buchanan & Conklin
2217 First National Building
Detroit, Michigan 48226

Re: Montgomery Elevator Company
Your File: 5628

Dear Mr. Buchanan:

Mr. Tom Skelly whose work included duties in connection with the World's Fair exhibit called me and inquired whether there was any objection to disposing of the remains of the vehicle involved in this lawsuit. They have a salvage bid of \$603 and would like to get rid of the vehicle.

I indicated that we needed proof of damages and he said there were photographs. By copy of this letter I am asking him to forward the photographs. Barring a stipulation as to the out-of-pocket loss, I assume we would want photographs as exhibits, and if these are not completely adequate, we might want additional pictures. I am likewise not clear now as to whether we had any other competitive bids and assume that we would have to justify the \$603 bid as the best available under the circumstances.

I assume you will agree, however, that there is no need to maintain the vehicle as a potential exhibit. One other practical question might be whether the vehicle to date has increased our damages; if so, this might be used to show we have not mitigated damages with reasonable diligence.

I would appreciate your thinking on these points and I am also wondering whether there have been any developments since your letter of February 4 in which you indicated that you had not received an appearance or responsive pleading.

Very truly yours,

Robert M. Johnson
Senior Attorney

cc: A. Scalia
T. Skelly

LAW OFFICES OF
ALEXANDER, BUCHANAN & CONKLIN
2217 FIRST NATIONAL BUILDING
DETROIT, MICHIGAN 48226

WOODWARD 5-2310

E. DEAN ALEXANDER
(1890-1963)

W. BUCHANAN
C. BUCHANAN
D. BUCHANAN
E. BUCHANAN
F. BUCHANAN
G. BUCHANAN
H. BUCHANAN
I. BUCHANAN
J. BUCHANAN
K. BUCHANAN
L. BUCHANAN
M. BUCHANAN
N. BUCHANAN
O. BUCHANAN
P. BUCHANAN
Q. BUCHANAN
R. BUCHANAN
S. BUCHANAN
T. BUCHANAN
U. BUCHANAN
V. BUCHANAN
W. BUCHANAN
X. BUCHANAN
Y. BUCHANAN
Z. BUCHANAN

March 15, 1966

Ford Motor Company
American Road
Dearborn, Michigan

Attention: Robert M. Johnson
Staff Attorney

Re: Our File 6-1955
Ford Motor Company v. Montgomery Elevator

Gentlemen:

Thank you for yours of March 7th, in re the captioned matter.

First, let me advise that the Complaint and Summons were served on Montgomery Elevator Company on January 21, 1966, by the Wayne County Sheriff, and we have received a telephone call from Ward, Plunkett, Cooney, Rutt & Peacock asking for an extension of time within which to answer.

I agree with your thoughts regarding the admissibility of photographs instead of the actual vehicle. There is no question but that we have to mitigate our damages somewhat and that as long we can properly identify the photographs at the time of trial, there will be no problem in disposing of the car.

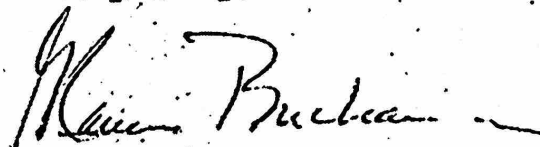
I also feel that you should, if at all possible, receive another bid on this car to avoid the question which you raise regarding the highest possible figure. I am sure the court does not require that we exhaust all possibilities, however I think one might argue with the \$603.00 bid without comparative prices.

As your question in paragraph three with reference to keeping the vehicle as possible disallowance, I feel that this cer-

tainly, under the circumstances, will not effect the damage question.

As previously stated, the complaint will be answer by the office of Ward, Plunkett, et al, in the very near future and our further advice will follow.

Yours very truly,


G. Cameron Buchanan

GCB/e

No. 16104

SALES OR SCRAP AUTHORIZATION

NO-REQUIREMENT PRODUCTION AND SERVICE PARTS

DIVISION Public Relations

PLANT New York World's Fair Dept. C-2

DECLARATION OF MATERIAL

THE FOLLOWING NO-REQUIREMENT MATERIAL REQUIRES DISPOSAL ACTION:

1-Convertible track Car (damaged beyond repair) To be sold as is.

PART NUMBER 7A4652500073		QUANTITY ONE	
PART NAME 1964 Mercury Parklane Convertible		UNIT VALUE	SCRAP VALUE
LOCATION Carron & Co.	PLANT	EXTENDED VALUE	NET VALUE
MATERIAL 2319 Edsel, Inkster, Michigan			

SCRAP AUTHORIZATION - EXTENDED VALUATION INSUFFICIENT TO WARRANT SALES AUTHORIZATION.

TO DISPOSAL AGENT:

PARTS AND ACCESSORIES HAS AUTHORIZED SALE AS USABLE MATERIAL. SELL AS IS FOR THE INDICATED LOCATION AT A PRICE IN EXCESS OF ITS SCRAP VALUE; OR AUTHORIZE CLASSIFYING AS SCRAP.

PARTS AND ACCESSORIES HAS NOT AUTHORIZED SALE AS USABLE MATERIAL. DETERMINE IF MATERIAL CAN BE DISPOSED OF AT A PRICE IN EXCESS OF ITS SCRAP VALUE WITHOUT JEOPARDIZING PARTS AND ACCESSORIES' MARKET. IF SO, NEGOTIATE NECESSARY AGREEMENTS INCLUDING APPROVAL OF PARTS AND ACCESSORIES; OR AUTHORIZE CLASSIFYING AS SCRAP.

PREPARED BY T. J. Shally	DATE 4-15-66	AUTHORIZED BY <i>[Signature]</i>	DATE 4/15/66
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DISPOSAL INSTRUCTIONS

CUSTOMER'S NAME AND ADDRESS	P. O. NUMBER
PRICE	

REMARKS:

UNABLE TO SELL - CLASSIFY AS SCRAP

SIGNATURE	DATE
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DELIVERY INSTRUCTIONS

TO MAT'L HANDLING:

DELIVER TO SHIPPING DEPARTMENT FOR SHIPMENT TO ABOVE CUSTOMER

DELIVER TO SCRAPPING ACTIVITY

REMOVAL OF IDENTIFICATION MARKINGS

MANDATORY
 NOT REQUIRED

SIGNATURE	DATE
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DISPOSAL ACTION

TO PARTS CONTROL:

DELIVERED TO SHIPPING DEPARTMENT:

DELIVERED TO SCRAPPING ACTIVITY

SIGNATURE	DATE
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PROD PLAN 271b
JULY 63

(PREVIOUS EDITIONS MAY NOT BE USED AFTER JULY 1, 1963)

Ford PROD PLAN 3040 CA
JAN. '66

Ford Motor Company
CENTRAL ACCOUNTING DEPARTMENT
P. O. BOX 118
DEARBORN, MICHIGAN 48121

INVOICE NO. CA- 515014

DATE ISSUED 7-27-66	PROD	ALV.	RUN- PROD	COYS'N MENT	FIXED ASSET	SCRAP	SALVAGE	DEF. MATH	M.S.C.	HOW SHIPPED (ROUTE)	EXP.	COLL.	PPD.	PARCEL POST	INSURANCE VALUE
TYPE OF SHIPMENT											INITIALS AND CAR NO.			GROSS WEIGHT	

SOLD TO

DEARBORN STEEL TUBING COMPANY
20241 EMMERIDGE
DEARBORN, MICHIGAN

SHIP TO (IF OTHER THAN SOLD TO)

8488

LENGTH OF CAR		CONTAINERS	TARE WEIGHT
ORDERED	FURNISHED		NET WEIGHT
SEALS			
ACCOUNT DISTRIBUTION			

DATE TO SHIP	CUSTOMER ORDER OR AUTH. NO.	ISSUED BY	TERMS	F. O. B.	INVOICE REFERENCE
	81845	H. K. [Signature]	Net 10/21		
REQUESTED BY	PHONE	DIST. CODE	BUILDING CODE	REJECTED MATERIAL	REC. REPORT NO.

QUANTITY ORDERED	PART NO. - CODE - DESCRIPTION	CHECKER'S NO. & SHIPPING INFO.	WEIGHT	TRAFFIC CODE	QUANTITY SHIPPED	UNIT PRICE	AMOUNT
1	CONVERTIBLE TRUCK CAB 1964 MERCURY PACKAGE CONVERTIBLE, SERIAL #44-652-500078 CONDITION: "AS IS" NOTE: The following warranty clause will be a part of the sales agreement. The undersigned represents and warrants to the Ford Motor Company that the property covered by this agreement was offered for scrapping, that he is scrapping or retaining it only for scrapping and that he will scrap and mutilate at his facilities, automotive parts, components, assemblies and tooling to the extent that the items cannot be used for the purpose originally intended. NOTE: NO SALES ON USE TAX: EXEMPT Sales Notice No 16/104 Sales No. 44-239				No Tax		\$100.00 LOT

AUTHORIZATION TO RELEASE (SIGNATURE)	BADGE NO.	DATE SHIPPED
[Signature]		
TRUCK NAME AND NO.	CARRIER'S SIGNATURE	B/L OR W/B NUMBER
	[Signature]	
RECEIVED BY	RECEIVED FROM (CARRIER)	DATE RECEIVED

CA- 515014