

# **EXHIBIT 126**

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TITLE: ELOY BACA ET AL. VS. DOW CHEMICAL INC. DIAMOND SHAMROCK

COURT: U.S. District, Northern District of Ohio, Eastern Division  
#C82-537

DATE FILED: 3/2/82 DATE SERVED: 3/10/82

DATE OF ACCIDENT/OCCURRENCE: since 1965-67

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: in excess of \$2 million

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Michael J. Duff  
Robert D. Gary  
446 Broadway  
Lorain, Ohio 44052  
(216) 244-4809

Robert A. Taylor  
Suite 700  
2000 L Street, N.W.  
Washington, D.C. 30036  
(202) 783-6400

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: L. N. Gang

ADDITIONAL PARTIES:

ELOY BACA ET AL. VS. DOW CHEMICAL & DSC

CASE HISTORY:

- 3/2/82 Summons & Complaint filed in U.S. District Court, Northern District of Ohio, Eastern Division #C82-537
- 3/8/82 Summons & Complaint served on Diamond Shamrock

TITLE: Daniel L. Baer, et ux. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Western District of Pennsylvania  
No. 80-113 ERIE

DATE FILED: 8/14/80

DATE SERVED: 8/20/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in  
Southeast Asia.

RELIEF SOUGHT: Excess of \$10,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: William T. Jorden, Esq.  
McClure, Dart, Miller, Kelleher & White  
501 Marine Bank Building  
Erie, PA 16501  
814/453-3681

For Diamond: Michael M. Gordon, Esq.  
Cadwalder, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co. Uniroyal, Inc.  
Hercules Inc. Agrisect, Inc.  
Thompson-Hayward Chemical Thompson Chemicals  
Hoffman Taft, Inc. Hooker Chemical Co.

CASE HISTORY:

8/14/80        Complaint filed in U. S. District Court, Pennsylvania  
8/20/80        Summons and Complaint served on Diamond Shamrock

TITLE: C. Bruce Bagwell, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: Circuit Court for Roane County, Tennessee No. 6659

DATE FILED: 4/13/81

DATE SERVED: 5/5/81

DATE OF ACCIDENT/OCCURRENCE: 10/68 - 7/69

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$850,000.00 plus costs and litigation taxes

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Charles J. Crass, Esq.  
Old Court Square  
Kingston, TN 37763

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Monsanto Company

CASE HISTORY:

4/13/81        Complaint filed in Circuit Court for Roane County, TN

5/5/81        Summons and Complaint served on Diamond Shamrock  
              through Secretary of State of Tennessee



TITLE: James A. Baker, et al. vs. Dow incl. DSC (Class Action)

COURT: U.S. District Court, Southern District of Georgia, Savannah  
Division #CV-482-516

DATE FILED: 11/22/1982

DATE SERVED: 12/02/82

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: \$3,000,000 plus costs and attorney's fees.

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Richard H. Middleton, Jr.  
Middleton & Anderson, P.C.  
P.O. Box 10006  
Savannah, GA 31412  
(912)234-1133

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES: Cathy Baker, Wanda Beasley Cooper and Jessie W.  
Beasley, III

James A. Baker, et al. vs. Dow incl DSC

CASE HISTORY:

11/22/82      Summons & Complaint filed in U.S. District Court, Southern  
District of Georgia, Savannah Division #CV-482-516

12/02/82      Same served on DSC

TITLE: Basil P. & Carin J. Bailey vs. Dow Chemical & DSC

COURT: U.S. District Court, Southern District of Ohio,  
Eastern Division #C-2-82-410

DATE FILED: 4/20/82

DATE SERVED: 4/23/82

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: Asking \$1,500,000 plus costs, etc.

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Paul O. Scott  
Scott, Koblentz & Binau  
One East Livingston Avenue  
Columbus, Ohio 43215  
(614) 461-6666

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: L. N. Gang

ADDITIONAL PARTIES:

BASIL P. & CARIN J. BAILEY VS. DOW CHEMICAL INC. DSC

CASE HISTORY:

4/20/82 Summons & Complaint filed in U.S. District Court,  
Southern District of Ohio, Eastern Division #C-2-82-410

4/23/82 Summons & Complaint served on DSC

**TITLE:** Monty D. Baird, v. Dow Chemical Company, et al. including  
Diamond Shamrock Corporation

**COURT:** U. S. District Court, Eastern District of California  
No. CIV S-80-104-KK

**DATE FILED:** 2/8/80

**DATE SERVED:** 2/12/80

**DATE OF ACCIDENT/OCCURRENCE:** Since 1962

**TYPE OF ACTION:** Class Action--personal injuries, wrongful death,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

**RELIEF SOUGHT:** Declaratory judgment

**INSURANCE:**

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

**DIVISION:** Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

**ATTORNEYS:**

For Plaintiff:	Victor John Yannacone Yannacone & Yannacone P. O. Drawer #109 Patchogue, NY 11772 516/654-2299	Gerald J. Adler, Esq. Crow, Lytle, et al. 431 J Street Sacramento, CA 95814 914/441-2980
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For Diamond:	Michael M. Gordon, Esq. Cadwalader, Wickersham & Taft One Wall Street New York, NY 10005
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Law Department: P. J. Harrison

**ADDITIONAL PARTIES:** Hercules Incorporated  
Monsanto Co.  
Thompson-Hayward Chemical Company

Baird v. Dow, DSC

CASE HISTORY:

2/8/80            Compliant filed in U. S. District Court, California  
2/12/80           Summons and Complaint served on Diamond Shamrock  
4/4/80            Transferred to E.D.N.Y.

TITLE: Jacob Edward Bales, Jr., et ux. v. Dow Chemical Company,  
et al. including Diamond Shamrock Corporation ("Agent Orange")

COURT: Circuit Court for Knox County, Tennessee No. 3-249-81

DATE FILED: 4/7/81

DATE SERVED: 4/24/81

DATE OF ACCIDENT/OCCURRENCE: 1967-69

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiff's injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$1,100,000 plus costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Dennis B. Francis  
Gillenwater, Whelchel and Nichol  
6401 Baum Drive  
Knoxville, TN 37919

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Thompson-Hayward  
Hooker Chemicals  
Uniroyal, Inc.

Monsanto Company  
Occidental Petroleum  
No. Americal Philips

CASE HISTORY:

4/7/81            Complaint filed in Circuit Court for Knox County, TN

4/24/81           Summons and Complaint served on Diamond Shamrock  
                    through Secretary of State of Tennessee



TITLE: Patrick & Tara Barrett, et al. vs. Dow Chemical & DSC

COURT: U.S. District Court, Eastern District of Washington  
#C-82-130-RJM

DATE FILED: 3/1/82

DATE SERVED: 3/11/82

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: in excess of \$10 million

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Thomas L. Doran, Esq.  
Suite 708  
Old National Bank Building  
Spokane, Washington 99201  
(509) 455-9200

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: L. N. Gang

ADDITIONAL PARTIES:

CASE HISTORY:

3/1/82      Summons & Complaint filed in U.S. District Court,  
Eastern District of Washington, #C-82-130-RJM

3/11/82     Summons & Complaint served on DSC

TITLE: Fred Barth, et al. v. Dow Chemical Company, et al. including  
Diamond Shamrock Corporation ("Agent Orange")

COURT: Eighth Judicial District Court, Minnesota  
No. \_\_\_\_\_

DATE FILED: DATE SERVED: 1/8/81

DATE OF ACCIDENT/OCCURRENCE: unspecified

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: Excess of \$50,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Steven W. Steinle Barnard, Hilleren & Spates 1327 Pacific Avenue Benson, MN 56215 612/843-4301	Daniel G. Wall 2233 Hamline Ave. St. Paul, MN 612/636-7696
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For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES:	Monsanto Co. Thompson-Hayward Agrisect, Inc. Hoffman-Taft	Hercules, Inc. Uniroyal, Inc. Thompson Chemicals Hooker Chemical
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Barth v. Dow, DSC

CASE HISTORY:

Complaint filed in U. S. District Court, Eighth District  
Minnesota

1/8/81      Summons and Complaint served on Diamond Shamrock

TITLE: Melvin S. Bass, et al. vs. Dow Chemical et al. including  
Diamond Shamrock Corporation

COURT: U.S. District Court, Northern District of Texas,  
Dallas Division

DATE FILED: 12/17/81 DATE SERVED: 12/18/81

DATE OF ACCIDENT/OCCURRENCE: 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT:

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: James C. Barber  
5217 Ross Avenue Suite 318  
Dallas, Texas 75206-7797

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: ~~XXXXXXXXXXXX~~ L. N. Gang

ADDITIONAL PARTIES:

CASE HISTORY:

12/17/81      Summons & Complaint filed with U.S. District Court,  
Northern District of Texas, Dallas Division Civil  
Action File #CA3-81-2209F

12/18/81      Summons & Complaint served on Diamond Shamrock Corp.

TITLE: Lamanda Bates, Exec. of Estate of Terry W. Mitchell, v.  
Dow Chemical Company, et al. including Diamond Shamrock  
Corporation ("Agent Orange")

COURT: U. S. District Court, Southern District of Georgia,  
Augusta Division No. CV 181-004

DATE FILED: 1/6/81 DATE SERVED: 1/14/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death,  
products liability, negligence. Plaintiffs' injuries  
allegedly resulted from exposure to contaminated 2,4,5-  
trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: Equitable relief and unspecified damages

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: George B. Snelling, Jr.  
Powell & Snelling  
Post Office Box 1371  
Augusta, Georgia 30903  
404/724-0521

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co. Hercules Inc.  
Thompson-Hayward Chem. Uniroyal, Inc.  
Agrisect, Inc. Thompson and  
Hooker Chemical Co. Hoffman-Taft

CASE HISTORY:

1/6/81            Complaint filed in U. S. District Court, Georgia

1/14/81          Summons and Complaint served on Diamond Shamrock



TITLE: William Bedford, Jr., et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Middle District of Pennsylvania  
No. 81-0027

DATE FILED: 1/7/81

DATE SERVED: 1/14/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, products liability,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Peter G. Loftus  
618-20 Connell Bldg.  
Scranton, PA 18503  
717/347-1453

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Northwest Industries  
Monsanto Company  
No. Am. Philips Corp.

CASE HISTORY:

1/7/81            Complaint filed in U. S. District Court, Pennsylvania

1/14/81           Summons and Complaint served on Diamond Shamrock by  
certified mail in Dallas

2/2/81            Summons and Complaint returned due to improper service

2/25/81           Notice of Appearance filed on behalf of Diamond Shamrock  
regarding extension of time to respond pending MDL transfer

TITLE: Herman Belisle, Jr. vs. Dow incl. DSC

COURT: U.S. District Court, Fourth Judicial District County of Hennepin,  
State of Minnesota #

DATE FILED: 11/11/1982

DATE SERVED: 11/15/82

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: excess of \$50,000 plus costs and disbursements.  
*Note: Did not receive complete set of complaint 11-15-82  
Rec'd complete complaint 12-10-82*

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Plaintiffs: Trygve A. Egge, Esq.  
500 Sexton Building  
529 S. 7th Street  
Minneapolis, MN 55415  
(612) 375-0754

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES:

HERMEN BELISLE, JR. vs. Dow incl DSC

CASE HISTORY:

11/11/82      Summons & Complaint filed in U.S. District Court, Fourth  
                 Judicial District, County of Hennepin, State of Minnesota

11/15/82      Same served on DSC

TITLE: Farrel E. Belt v. Dow Chemical Company, et al. including  
Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Southern District of Texas, Houston  
Division No. H-81-1753

DATE FILED: / /81

DATE SERVED: 7/31/81

DATE OF ACCIDENT/OCCURRENCE: unspecified

TYPE OF ACTION: Products liability, wrongful death, personal  
injuries, negligence. Plaintiffs' injuries allegedly  
resulted from exposure to contaminated 2,4,5-trichloro-  
phenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: unspecified

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Benton Musslewhite  
3506 Travis Street  
Houston, TX 77002  
713/520-0621

Newton B. Schwartz  
609 Fannin  
Houston, TX 77002

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Monsanto Company  
Thompson-Hayward  
Diamond Alkali Company

Uniroyal, Inc.  
Ansul Company  
Hooker Chemicals

CASE HISTORY:

/ /81	Complaint filed in U. S. District Court, Houston, Texas
[8/6/81]	
7/31/81	Summons and Complaint served on Diamond Shamrock in
[8/6/81]	Amarillo

TITLE: John Bennett, et al. v. Hooker Chemicals & Plastics, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Southern District of Texas,  
Houston Division No. H-8138

DATE FILED: 1/8/81

DATE SERVED: 1/21/81

DATE OF ACCIDENT/OCCURRENCE: unspecified

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: unspecified

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Michael E. Shelton  
525 Webster  
Houston, TX 77002  
713/757-7811

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Thompson-Hayward  
Hercules, Inc.  
Monsanto Company  
Diamond Alkali Co.

Dow Chemical Co.  
Uniroyal, Inc.  
Ansul Company

Bennett v. Hooker Chemicals, DSC

CASE HISTORY:

1/8/81            Complaint filed in U. S. District Court, Texas

1/21/81          Summons and Complaint served on Diamond Shamrock  
                  through W. E. Notestine



TITLE: Kenneth C. Bennis, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Southern District of Florida  
No. 81-1645-CIV-ALH

DATE FILED: 7/30/81

DATE SERVED: 8/11/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence;  
Class Action. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Jack E. London, Esq.  
Mills & London  
One Biscayne Tower, Suite 2250  
2 South Biscayne Boulevard  
Miami, FL 33131  
305/358-7122

For Diamond: Michael M. Gordon, Esq,  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co.  
Thompson-Hayward  
Agrisect, Inc.  
Hoffman-Taft  
Veteran's Adm.

Hercules Inc.  
Uniroyal, Inc.  
Thompson Chemical  
Hooker Chemicals

CASE HISTORY:

7/30/81            Complaint filed in U. S. District Court, Florida  
[8/21/81]

8/11/81            Summons and Complaint served on Diamond Shamrock  
[8/21/81]

TITLE: James A. Berg, Jr., et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Middle District of Florida  
No. 80-1076 CIV. T-K

DATE FILED: 1/22/81

DATE SERVED: 2/2/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action; products liability, personal  
injuries, negligence. Plaintiffs' injuries allegedly  
resulted from exposure to contaminated 2,4,5-trichlorophenoxy  
aliphatics in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Jack E. London, Esq.  
Mills, Hodin & London  
One Biscayne Tower, Suite 2250  
Two South Biscayne Blvd.  
Miami, FL 33131

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co.  
Thompson-Hayward  
Agrisect, Inc.  
Hoffman-Taft

Hercules, Inc.  
Uniroyal, Inc.  
Thompson Chemical  
Hooker Chemicals

CASE HISTORY:

1/22/81        Complaint filed in U. S. District Court, Florida  
2/2/81         Summons and Complaint served on Diamond Shamrock  
2/24/81        Amended Complaint filed  
3/4/81         Amended Complaint served on Diamond Shamrock by  
                 regular mail [Answer due 45 days after the matter  
                 is transferred to Multi-District Litigation]

TITLE: Karen Kathryn Bergeron, et al. v. Dow Chemical Company,  
et al. including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Middle District of Louisiana  
No. 81-54 Sec. A

DATE FILED: 1/27/81

DATE SERVED: 2/2/81

DATE OF ACCIDENT/OCCURRENCE: June, 1969 - June, 1979

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$3,250,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Michael Pellegrin, Esq.	George and George
	524 East Park Avenue	8110 Summa Drive
	Houma, LA 70360	Baton Rouge, LA 70809
	504/868-6077	504/769-3064

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Company  
Thompson-Hayward Chemical  
Hercules, Inc.

Bergeron v. Dow, DSC

CASE HISTORY:

1/27/81        Complaint filed in U. S. District Court, Louisiana  
2/2/81        Summons and Complaint served on Diamond Shamrock

TITLE: Robert T. & Barbara Betz, et al. vs. Dow incl. DSC

COURT: U.S. District Court, Northern District of Ohio, Eastern Division  
#C-83-780-A

FILED: 2/23/83 DATE SERVED: 3/2/83

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: declaratory judgment

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Shirley F. Majors  
1826 S. Main Street  
Akron, Ohio 44301  
(216) 773-5104

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES: Families of: Robert S. Marr; Jackie L. Hosey;  
William H. Smiley; Gary D. Wells; Lynn G. Hall; John F. Veal, Jr.; Samuel J.  
Tomsello

Robert T. & Barbara Betz, et al. vs. Dow incl DSC

CASE HISTORY:

2/23/83            Summons & Complaint filed in U.S. District Court, Northern  
District of Ohio, Eastern Division #C-83-780-A

3/2/83            Same served on DSC



TITLE: Bruce L. Beverly, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Northern District of Illinois  
Eastern Division No. 79C5165

DATE FILED: 12/10/79

DATE SERVED: 12/13/79

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT:  
Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Stephen J. Schlegel Schlegel & Trafelet, Ltd. One N. LaSalle St. Chicago, IL 60602 312/782-1061	Victor John Yannacone Yannacone & Yannacone P. O. Drawer #109 Patchogue, NY 11772 516/654-2299
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For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Co.  
Thompson-Hayward Chemical Company

Beverly v. Dow, DSC, et al.

CASE HISTORY:

12/10/79      Complaint filed in U. S. District Court, Illinois

12/13/79      Summons and Complaint served on DSC

1/10/80      Transferred to E.D.N.Y.

TITLE: Riley Bivens, et ux. v. Dow Chemical Company, et al. including  
Diamond Shamrock Corporation ("Agent Orange")

COURT: Circuit Court for Knox County, Tennessee, at Knoxville  
No. 1-471-81

DATE FILED: 7/14/81

DATE SERVED: 7/30/81

DATE OF ACCIDENT/OCCURRENCE: Feb., 1966 - March, 1968

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$1,100,000 plus costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Dennis B. Francis, Esq.  
Gillenwater, Whelchel & Nichol  
6401 Baum Drive  
Knoxville, TN 37919

David B. Maxwell  
Johnson & Maxwell  
148 Court Ave.  
Sevierville, TN

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Thompson-Hayward  
Occidental Petroleum  
No. American Phillip Co.

Monsanto Company  
Uniroyal, Inc.  
Hooker Chemicals

CASE HISTORY:

7/14/81           Complaint filed in Circuit Court for Knox County, Tennessee  
[8/3/81]  
7/30/81           Summons and Complaint served on Diamond Shamrock  
[8/3/81]

TITLE: Bertrand Blake, Sr., et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corp. ("Agent Orange")

COURT: U. S. District Court, Eastern District of Louisiana  
No. 81-273 Sect. L Mag. 2(5)

DATE FILED: 2/26/81

DATE SERVED: 3/4/81

DATE OF ACCIDENT/OCCURRENCE: 1965-66

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$4,000,000 plus interest and costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Bernard L. Charbonnet, Jr.  
938 International Trade Mart Building  
No. 2 Canal Street  
New Orleans, Louisiana 70130  
504/524-4612

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Monsanto Corporation

Northwest Industries  
No. Am. Philips Corp.

CASE HISTORY:

2/26/81        Complaint filed in U. S. District Court, Louisiana

3/4/81        Summons and Complaint served on Diamond Shamrock  
together with Plaintiff's First Set of Interrogatories  
and Request for Admissions

TITLE: William D. Blake v. Dow Chemical Company, et al. including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, District of Colorado  
No. 80-398

DATE FILED: 3/26/80

DATE SERVED: 3/27/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death, negligence. Plaintiffs' injuries allegedly resulted from exposure to contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Victor John Yannacone	William D. Nelsch
	Yannacone & Yannacone	1059 Washington
William G. Morgan	P. O. Drawer #109	Denver, Colorado
88 Steele Street	Patchogue, NY 11772	303/831-8347
Denver, Colorado	516/654-2299	

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Co.  
Thompson-Hayward Chemical Company

Blake v. Dow, DSC, et al.

CASE HISTORY:

3/26/80        Complaint filed in U. S. District Court

3/27/80        Summons and Complaint served on Diamond Shamrock



TITLE: Monica Boeke, et al. vs. Dow incl. DSC

COURT: U.S. District Court, Northern District of Illinois, Eastern District  
#83-C-3104

FILED: 5/4/83 DATE SERVED: 5/9/83  
CT Corp/certified mail

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: equitable relief

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Stephen J. Schlegel, Esq.  
One North LaSalle  
Chicago, Illinois 60602  
(312) 782-1061

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES: Linda Babb; Harvey Allen & A. Brown, wife; Wayne  
& Mary Bulvan; Michael & Murrah Busic; David & Theresa Dugmore; Robert  
& Barbara Frey; Herbert & Pearlle Goodman; Gary & Barbara Grim; James &  
Nancy Hagan; Joseph Hrejsa; Richard Jakubiec; Daniel Kelley; George LeVert;  
Salvatore Maita; Thomas McGinnis; Robert & Kathleen Naiman; Earl & Diane  
Nork; Robert Plimmer; James Powers; Stephen & Mary Richards; Wayne &  
Patricia Stuber; Douglas Woods; George & Melissa Applegate; Prichard Brand;

Peter & Mary Brokas; Edward & Judy Bunch; Edward & Marlys Croft; Curtis Edwards; Bruce & Sharon Ehringer; George & Rosemary Fisher; Ronald & Juanita Goodrich; Michael F. Harvey Sr; Thomas & Laurine Hengels; Conrad & Sue Ann Keenan; Jerry Kinney; Kenneth & Susan Kruschke; Clarence Lewis; Fred Michael; Thomas & Carol Moddes; Richard Moddes; Dorothy Strauss; Dale Mullen; James Murray; Arthur & Kasandra Peterson; Henry & Barbara Riedstra; David & Alverna Voaklander; Jerome Wilger; Ronald Wrasse; Peter Madlem; Craig Kastner; Michael & Catherine Cloyd; Vincent & Donna Lowatch; Harlen & Dianna Springs; Harold Lyons; Anthony & Linda Lutchka; Charles & Rio Kelley; Gene & Connie Norris; Charles Deal, Jr.; Lois Bachtell; Q.T. & Eddie Mae Coburn; Stanton & Laretta Coleman; Richard Harris; Jo Jennings; Lorraine McDowell; Benjamin Jankowski; Terrence Joseph; Karl Robinson; Robert Ryan; Dennis Troxel; Charles Hennings; George Jenkins; Richard Louis; George Morelli; Michael & Bernice Shannon; Joe & Mary Williams; Robert & Venola Young; John Green Sr; James Metoyer; Escamillo Reed; Fred & Verlenie Smith III

Monica Boeke, et al. (Class Action) vs. Dow incl DSC

CASE HISTORY:

5/4/83      Summons, Complaint, Appearances & Affidavits filed in U.S. District Court, Eastern District of Illinois #83-C-3104

5/9/83      Same served on DSC

TITLE: Floyd Gordon Book, Jr., et ux. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: Circuit Court for Knox County, Tennessee No. 2-20-80

DATE FILED: 1/10/80

DATE SERVED: 1/22/80

DATE OF ACCIDENT/OCCURRENCE: April, 1966-June, 1968; April 1969-Nov. 1969

TYPE OF ACTION: Products liability--personal injuries.  
Plaintiff suffered severe poisoning and damage to his central  
and peripheral nervous system resulting from alleged exposure  
to certain phenoxy herbicides while serving in the military  
during the Viet Nam war.

RELIEF SOUGHT: \$3,500,000.00; costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: phenoxy herbicides

Contact:

ATTORNEYS:

For Plaintiff: Sidney W. Gilbreath, Esq.  
707 Gay Street, SW  
P. O. Box 1270  
Knoxville, TN 37901

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, New York 10005  
212/785-1000

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Monsanto Company  
Thompson-Hayward Chemical Company

CASE HISTORY:

1/10/80           Complaint filed in Circuit Court for Knox County, TN

1/22/80           Summons and Complaint served on Diamond Shamrock

2/6/80            Dow granted 30-day extension in which to answer or plead

2/18/80           Motion filed to Stay Further Proceedings in this case  
pending decision of the Judicial Panel on Multi-District  
Litigation

2/21/80           Motion of Thompson Hayward to Say Further Proceedings  
Pending Decision of Judicial Panel on Multi-District  
Litigation

2/20/80           Effective in 15 days -- Transferred to E.D.N.Y.

TITLE: Jerry A. Boone, et al. vs. Dow incl. DSC

COURT: U.S. District Court, District of Idaho, Eastern Division,  
#CIV-83-1042

FILED: 2/1/83

DATE SERVED: 2/8/83

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: in excess of \$3 million

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: W. Marcus Nye, Esq.  
Racine, Olson, Nye & Cooper  
P.O. Box 1391  
Pocatello, Idaho 83204  
(208) 232-6101

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES: Danny & Joyce Lambert; William R. & Susan K.  
Ashcroft; Clayton & Mary Rye; Delbert R & Vaunda Broadhead;

Jerry A. Boone, et al. vs. Dow incl DSC

CASE HISTORY:

2/1/83            Summons & Complaint filed in U.S. District Court, District of  
Idaho, Eastern District #CIV-83-1042

2/8/83            Same served on DSC

TITLE: Roger Borerro on behalf of Dawn Young vs. Dow incl. DSC

COURT: Supreme Court of State of New York, County of Bronx

FILED: 5/6/83                      DATE SERVED: 5/26/83 on Sec'y of State  
5/31/83 on CT Corp by  
certified mail

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: \$30 million & jury demand

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:  
  
Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Julien Schlesinger, Esq.  
2 Lafayette Street  
New York, NY 10007  
(212) 962-8020

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES:



Roger Borerro (behalf of Dawn Young) vs. Dow incl DSC

CASE HISTORY:

5/16/83 Summons & Complaint filed in Supreme Court of New York, County of Bronx

5/31/83 Same served on CT Corp via certified mail

TITLE: Brent Boughn v. Dow Chemical Company, et al including  
Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Southern Division of Iowa, Central Div.  
No. 80-34-C

DATE FILED: 1/23/80

DATE SERVED: 1/28/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Victor John Yannacone Yannacone & Yannacone P. O. Drawer #109 Patchogue, NY 11772 516/654-2299	Jerry Wieslander, Esq. Frank G. Wieslander 109 8th Street Altoona, Iowa 50009 515/967-5121
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For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Co.  
Thompson-Hayward Chemical Company

CASE HISTORY:

1/23/80        Complaint filed in U. S. District Court  
1/28/80        Summons and Complaint served on Diamond Shamrock  
2/20/80        Transferred to E.D.N.Y.

TITLE: Stephen T. Braswell, et al. vs. Dow incl. DSC

COURT: U.S. District Court, Southern District of Texas, Houston Division  
#H-82-3885

FILED: 12/23/1982

DATE SERVED: 1/14/83

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: declaratory judgment

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Benton Musselwhite, Esq.  
609 Fannin, Suite 517  
Houston, TX 77002  
(713) 222-2288

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES: Pltfs: Harold H. Brumley, Jr./Paul E. Burgess/Wannie B. Coghill/Francis T. Coyne/Manuel S. DeLeon/Benny L. Diggs/Mike Dodd/William T. Freeland/Sylvester Galbreath/Charles E. Gregory/Johnnie Hildebrand/Rufus C. Huffman/William H. Jackson/Arthur H. Johnson/Thoams J. Martin/Kenneth K. OdNeal/John W. Patton/James A. Reeves/David J. Renteria/Thomas W. Richardson/James E. Ricks/Victor J. Ruskavich/Emanuel Strother/Albert M. Tarbell/Darrell S. Thomas/Loutenant Tisdell/Jackie W. Tucker/David T. Turner/John S. Vandiver/Arthur L. Whitener/George B. Wilkenson/Charles E. Wilson/Grover Cleveland Wright/Otis Wright.

Stephen T. Braswell, et al. vs. Dow incl DSC

CASE HISTORY:

12/23/82            Summons & Complaint filed in U.S. District Court, Southern  
District of Texas; Houston Division #H-82-3885

1/14/83            Same served on DSC

TITLE: Donald E. Brawley, et ux, v, Dow Chemical Company, et al.  
including Diamond Shamrock Corporation

COURT: U. S. District Court, Western District of Pennsylvania  
No. 80-153

DATE FILED: DATE SERVED: 9/24/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Personal injuries, wrongful death, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in  
Southeast Asia.

RELIEF SOUGHT: Excess of \$10,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve\_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: William T. Jorden, Esq.  
McClure, Dart, Miller, Kelleher & White  
501 Marine Bank Building  
Erie, PA 16501  
814/453-3681

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES:

Hercules, Incorporated	Agrisect, Inc.
Monsanto Co.	Thompson Chemicals
Thompson-Hayward	Hoffman Taft
Uniroyal	Hooker Chemical
Occidental Petroleum	

Brawley v. Dow, DSC

CASE HISTORY:

9/24/80      Summons and Complaint served on Diamond Shamrock

TITLE: Thomas Joseph Brewer, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Middle District of Florida  
No. 81-2-ORI-CIV-R

DATE FILED: 1/19/81

DATE SERVED: 1/27/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--Products liability, personal injuries,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment.

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Donald E. Grincewicz, Esq.  
Law Office of Carroll S. Barco  
6900 S. Orange Blossom Trail  
Orlando. FL 32809

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES:	Monsanto Co.	Hercules, Inc.
	Thompson-Hayward	Uniroyal, Inc.
	Agrisect, Inc.	Thompson Chemical
	Hoffman-Taft	Hooker Chemical
	Max Cleland	Guy McMichael
	Veterans Administration	U.S. Government



CASE HISTORY:

1/19/81        Complaint filed in U. S. District Court, Florida

1/27/81        Summons and Complaint served on Diamond Shamrock

TITLE: Leroy Brooks, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation

COURT: U. S. District Court for the District of Columbia  
No. 80-1444

DATE FILED: June 10, 1980

DATE SERVED: 6/16/80

DATE OF ACCIDENT/OCCURRENCE: June, 1967 - June, 1969

TYPE OF ACTION: Product liability; personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure  
to contaminated 2,4,5-trichlorophenoxy aliphatics in  
Southeast Asia.

RELIEF SOUGHT: Excess of \$12,000,000, interest and costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Martin E. Gerel, Esq.  
Ashcraft & Gerel  
Suite 303  
2101 L Street, N.W.  
Washington, DC 20037  
202/783-6400

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Co.  
Thompson Hayward Chemical Co.  
No. Am. Philips Co.  
Uniroyal

CASE HISTORY:

6/10/80        Complaint filed in U. S. District Court

6/16/80        Summons and Complaint served on Diamond Shamrock

8/7/81        Motion to Amend Original Complaint filed  
[8/21/81]

8/24/81        Ansul's Affidavit filed in partial opposition to  
[9/2/81]        plaintiffs' motion to amend complaint

TITLE: Antone P. Brovitch, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: Second Judicial District Court, Minnesota  
No. \_\_\_\_\_

DATE FILED: 1/5/81

DATE SERVED: 1/8/81

DATE OF ACCIDENT/OCCURRENCE: unspecified

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: Excess of \$50,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Daniel G. Wall, Esq.  
416 Roseville Professional Center  
2233 Hamline Avenue North  
Roseville, MN 55113  
612/636-7696

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co.  
Thompson-Hayward  
Agrisect, Inc.  
Hoffman-Taft

Hercules, Inc.  
Uniroyal, Inc.  
Thompson Chemicals  
Hooker Chemical

Brovitch v. Dow, DSC

CASE HISTORY:

1/5/81            Complaint filed in Second Judicial District Court, MN

1/8/81            Summons and Complaint served on Diamond Shamrock

TITLE: Lee William Brown, Jr., et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Middle District of Louisiana  
No. 80-240 Sec. A

DATE FILED: 5/20/80

DATE SERVED: 5/27/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiff's injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$3,250,000.00; interest; costs; and attorney's fees

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: James A. George  
George and George  
8110 Summa Drive  
Baton Rouge, Louisiana 70809  
504.769-3064

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Company  
Thompson-Hayward Chemical Company  
Hercules, Inc.

CASE HISTORY:

5/20/80        Complaint filed in U. S. District Court, Louisiana

5/27/80        Summons and Complaint served on Diamond Shamrock

TITLE: Gary Wayne Bunch, et ux. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: Circuit Court for Knox County, Tennessee  
No. 3-302-81

DATE FILED: 4/30/81

DATE SERVED: 5/22/81

DATE OF ACCIDENT/OCCURRENCE: 1968-69

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT: \$3,500,000 and costs

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Sidney W. Gilreath, Esq.  
707 Gay Street, SW  
P. O. Box 1270  
Knoxville, TN 37901

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Monsanto Company  
Thompson-Hayward Chemical Co.



CASE HISTORY:

4/30/81      Complaint filed in Circuit Court for Knox County, TN  
5/22/81      Summons and Complaint served on Diamond Shamrock  
                 through Secretary of State of Tennessee

TITLE: Albert A. Bunko, et al. v. Dow Chemical Co., et al. including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, District of Montana, Missoula Division No. 80-56-M

DATE FILED: 6/20/80

DATE SERVED: 7/11/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death, negligence. Plaintiffs' injuries allegedly resulted from exposure to contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff:	Victor John Yannacone Yannacone & Yannacone P. O. Drawer #109 Patchogue, NY 11772 516/654-2299	Arden C. McClelland 221 N. Higgins Ave. P. O. Box 8185 Missoula, MT 59807
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For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Co.  
Thompson-Hayward Chemical Company

CASE HISTORY:

6/20/80        Complaint filed in U. S. District Court  
7/11/80        Summons and Complaint served on Diamond Shamrock  
9/30/80        Order by Judge Pratt allowing Plaintiffs leave to  
                 file an amended complaint adding more plaintiffs

**TITLE:** Daniel C. Burke, et al vs. The Dow Chemical Company, et al incl. DSC.

**COURT:** U.S. District Court, Northern District of Indiana, Hammond Division  
#H 83-560

**DATE FILED:** 9/9/83

**DATE SERVED:** 9/16/83

**DATE OF ACCIDENT/OCCURRENCE:** Since 1962

CLASS ACTION

**TYPE OF ACTION:** Wrongful deaths, personal injuries, negligence. Plaintiffs' injuries allegedly resulted from exposure to contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

**RELIEF SOUGHT:** Equitable relief and damages, establishment of a trust fund, Jury demanded.

**INSURANCE:**

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

**DIVISION:** Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

**ATTORNEYS:**

**For Plaintiff:** James A. Cheslek (219) 464-4961  
Hoepfner, Wagner & Evans  
101 Lincolnway, P.O. Box 369  
Valparaiso, Indiana 46383

**For Diamond:** Michael M. Gordon, Esq. (212) 908-7397  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, New York 10005

**Law Department:** E. J. Masek

**ADDITIONAL PARTIES:**

CASE HISTORY:

9/9/83            Summons and Verified Complaint filed in U.S. District Court,  
Northern District of Indiana, Hammond Division, #H 83-560

9/16/83           Same served on CT Corporation System.

TITLE: Wanda G. Burke, et al. vs. Dow Chemical & DSC

COURT: U.S. District, Northern District of Florida #MCA 82-0214

DATE FILED: 2/23/82

DATE SERVED: 3/16/82

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence. Plaintiffs' injuries allegedly resulted from exposure to contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT:

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Patrick J. Faucheux  
Urquhart & Pittman, P.A.  
314 Magnolia Avenue  
Panama City, Florida 32401  
(904) 769-3226

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: J. N. Gang

ADDITIONAL PARTIES:

CASE HISTORY:

2/23/82 Summons & Complaint filed in U.S. District Court,  
Northern District of Florida #MCA 82-0214

3/16/82 Summons & Complaint served on DSC

TITLE: Roger Burleson, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Eastern District of Tennessee  
No. CIV-2-81-177

DATE FILED: 8/21/81

DATE SERVED: 9/8/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in  
Southeast Asia.

RELIEF SOUGHT: \$2,000,000

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

ATTORNEYS:

For Plaintiff: Kyle K. King, Esq.  
King and King  
124 S. Main St.  
Greeneville, TN 37743

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules, Inc.  
Thompson-Hayward  
Agrisect, Inc.  
Hoffman-Taft

Monsanto Co.  
Uniroyal, Inc.  
Thompson Chemicals  
Hooker Chemicals



CASE HISTORY:

8/21/81           Complaint filed in U. S. District Court, Tennessee  
[9/10/81]

9/8/81            Summons and Complaint served on Diamond Shamrock  
[9/10/81]

TITLE: Gary W. Burnette, et al., vs. Dow Chemical & Diamond

COURT: Circuit Court, Knox County, Tennessee; #1-38-82

DATE FILED: 1/25/82 DATE SERVED: 2/3/82  
(Secy of State stamped)

DATE OF ACCIDENT/OCCURRENCE: since 1962

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to  
contaminated 2,4,5-trichlorophenoxy aliphatics in Southeast  
Asia.

RELIEF SOUGHT:

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Dennis B. Francis  
Gillenwater, Whelchel & Nichol  
6401 Baum Drive  
Knoxville, TN 37919-6092  
(615) 691-3350

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: L. N. Gang

ADDITIONAL PARTIES:

CASE HISTORY:

1/25/82      Summons & Complaint filed with Secretary of State

2/3/82      Summons & Complaint served on Diamond Shamrock

TITLE: James M. Butler, et ux. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court for the District of Massachusetts  
No. CA 80-2163-MC

DATE FILED: 9/25/80

DATE SERVED: 10/3/80

DATE OF ACCIDENT/OCCURRENCE:

TYPE OF ACTION: Personal injuries, products liability, negligence.  
Plaintiff's injuries allegedly resulted from exposure  
to contaminated 2,4,5-trichlorophenoxy aliphatics in  
Southeast Asia.

RELIEF SOUGHT: \$300,000 plus costs and interest

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Thomas E. Connolly, Esq.  
Schneider, Reilly, Zabin, Connolly & Costello  
One Center Plaza  
Boston, MA 02108  
617/227-7500

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Hercules Incorporated  
Monsanto Company  
Thompson-Hayward Chemical Co.

Butler v. Dow, DSC

CASE HISTORY:

9/25/80        Complaint filed in U. S. District Court, Massachusetts

10/3/80        Summons and Complaint served on Diamond Shamrock

TITLE: Rick L. Butler, et al. v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: U. S. District Court, Northern District of California  
No. 80-4028 WTS

DATE FILED: 10/24/80

DATE SERVED: 12/22/80

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, products liability,  
negligence. Plaintiffs' injuries allegedly resulted from  
exposure to contaminated 2,4,5-trichlorophenoxy aliphatics  
in Southeast Asia.

RELIEF SOUGHT: Declaratory judgment

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Victor John Yannacone    David W. Moyer  
                  Yannacone & Yannacone    Hoberg, Finger, Brown  
                  P. O. Drawer #109            703 Market St., Ste. 1800  
                  Patchogue, NY 11772            San Francisco, CA 94103

For Diamond: Michael M. Gordon, Esq.  
                  Cadwalader, Wickersham & Taft  
                  One Wall Street  
                  New York, NY 10005

Law Department: P. J. Harrison

ADDITIONAL PARTIES: Monsanto Co.                    Uniroyal, Inc.  
                          Hercules, Inc.                    Agrisect, Inc.  
                          Thompson-Hayward                Thompson Chemicals and  
                          Hooker Chemical                    Hoffman Taft

Butler v. Dow, DSC

CASE HISTORY:

10/24/80      Complaint filed in U. S. District Court, California

12/22/80      Summons and Complaint served on Diamond Shamrock

TITLE: Charles B. & Peggy Butt vs. Dow incl. DSC

COURT: U.S. District Court, Louisville, Kentucky #C83-0554-L(A)

FILED: 6/3/83 DATE SERVED: 6/6/83 on CT Corp by  
certified mail

DATE OF ACCIDENT/OCCURRENCE: since 1965

TYPE OF ACTION: Products liability, personal injuries, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5-trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: \$20,050,000

INSURANCE:

Primary Carrier:  
Policy Limit:  
Excess Carriers & Limits:

Reserve: \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS: For Pltfs: Richard D. Heideman, Esq.  
300 W. Main Street  
Louisville, Kentucky 40202  
(502) 585-1155

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, NY 10005  
(212) 908-7397

Law Dept.: L. N. Gang

ADDITIONAL PARTIES:



Charles & Peggy Butts vs. Dow incl DSC

CASE HISTORY:

6/3/83 Summons, Complaint & Order filed in U.S. District Court, Louisville, Kentucky #C-83-0554-L(A)

6/6/83 Same served on CT Corp via certified mail

TITLE: Ronald Buxton, et al., v. Dow Chemical Company, et al.  
including Diamond Shamrock Corporation ("Agent Orange")

COURT: Superior Court of New Jersey Law Division - Passaic County  
Docket No. L-24128-80

DATE FILED: 3/12/81 DATE SERVED: 10/2/81

DATE OF ACCIDENT/OCCURRENCE: Since 1962

TYPE OF ACTION: Class Action--personal injuries, wrongful death, negligence.  
Plaintiffs' injuries allegedly resulted from exposure to contaminated  
2,4,5- trichlorophenoxy aliphatics in Southeast Asia.

RELIEF SOUGHT: Judgment for punitive damages, interest costs and attorney fees.

INSURANCE:

Primary Carrier:

Policy Limit:

Excess Carriers & Limits:

Reserve \_\_\_\_\_

DIVISION: Ag Chem

Product: 2,4,5-trichlorophenoxy aliphatics

Contact:

ATTORNEYS:

For Plaintiff: Kraft & Hughes  
Gateway One  
Newark, New Jersey 07102

For Diamond: Michael M. Gordon, Esq.  
Cadwalader, Wickersham & Taft  
One Wall Street  
New York, New York 10005

Law Department: Lawrence N. Gang

ADDITIONAL PARTIES: Monsanto Co.; Hercules Incorporated; Thompson-Hayward  
Chemical Company and Uniroyal.