

Sean C. Sheely
Katherine A. Skeele
HOLLAND & KNIGHT, LLP
195 Broadway
New York, NY 10007
Tel: (212) 513-3397
Fax: (212) 395-9010

Bonni Kaufman
HOLLAND & KNIGHT, LLP
2099 Pennsylvania Avenue, N.W.
Washington, DC 20006
Tel: (202) 955-3000
Fax: (202) 955-5564

Attorneys for Third-Party Defendants
Wyeth, American Cyanamid Company
and Shulton, Inc.

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, THE
COMMISSIONER OF THE NEW JERSEY
ENVIRONMENTAL PROTECTION AGENCY,
and THE ADMINISTRATOR OF THE NEW
JERSEY SPILL COMPENSATION FUND,

Plaintiffs,

vs.

OCCIDENTAL CHEMICAL CORPORATION,
TIERRA SOLUTIONS, INC., MAXUS ENERGY
CORPORATION, REPSOL YPF, S.A., YPF, S.A.,
YPF HOLDINGS, INC. and CLH HOLDINGS,

Defendants,

MAXUS ENERGY CORPORATION and
TIERRA SOLUTIONS, INC.,

Third-Party Plaintiffs,

vs.

AMERICAN CYANAMID, et.al.

Third-Party Defendants.

SUPERIOR COURT OF NEW
JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO. L-9868-05 (PASR)

CIVIL ACTION

**CMO V THIRD-PARTY INITIAL
DISCLOSURE**

INITIAL DISCLOSURES

Comes now Third-Party Defendants American Cyanamid Company (now known as Wyeth Holdings Corporation), Wyeth (now known as Wyeth LLC, a subsidiary of Pfizer), and Shulton, Inc., and for its Initial Disclosure in accordance with Case Management Order V provides the following specific information:

a. The name, address and telephone number, as may be known of each individual likely to have discoverable information, along with the subjects of that information, that relates to any alleged discharge or release of pollutants, contaminants and/or hazardous substances (“Pollutants”) into the Newark Bay Complex (as these terms are defined in the Second Amended Complaint and the Third-Party Complaints) from the site(s) and/or properties with which the disclosing party is associated in the Third-Party Complaint (“Alleged Discharges”);

Response

| Name/Address/Phone | Subject |
|--|---------------------|
| Charles E. Krauss Chief of NJDEP-DEQ's Bureau of Communications and Support Services New Jersey Department of Environmental Protection & Energy, Div. of Environmental Quality 401 East State Street Trenton, NJ 08625-0438* | Nov. 15, 1990 spill |
| Gary Allen Region 1 Supervisor New Jersey Department of Environmental Protection & Energy, Div. of Environmental Quality 2 Babcock Place West Orange, NJ 07052 (201)669-3959* | Nov. 15, 1990 spill |
| Joseph Eaker Bureau of Underground Storage Tanks New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438* | Site Discharge |

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|---|--|
| <p>Robert Plumb Northern Bureau of Regional Enforcement New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site Discharge</p> |
| <p>Lewis Burnside Bureau of Communications and Support Services, New Jersey Department of Environmental Protection & Energy, Div. of Environmental Quality 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Nov. 15, 1990 spill</p> |
| <p>Robert Beretsky HSMI II, Bureau of Field Operations - Site Assessment/RPIU, New Jersey Department of Environmental Protection & Energy, Div. of Environmental Quality 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site Inspection</p> |
| <p>Robert Raisch HSMI II, Bureau of Field Operations - Site Assessment/RPIU, New Jersey Department of Environmental Protection & Energy, Division of Environmental Quality 401 East State Street Trenton, NJ 08625-0438*</p> | <p>March 15, 1993 Investigative Report</p> |
| <p>Raymond Maginness Section Chief of Highlands Region, Bureau of Inland Regulation, New Jersey Department of Environmental Protection & Energy 401 E. State Street Trenton, NJ 08625-0028*</p> | <p>Site conditions</p> |
| <p>J. Mark Walters Case Manager, New Jersey Department of Environmental Protection & Energy 401 E. State Street Trenton, NJ 08625-0028 (609)633-1447*</p> | <p>Site conditions</p> |
| <p>Joshua Gradwahl ECRA Case Manager, Bureau of Environmental Evaluation and Risk Assessment, New Jersey Department of Environmental Protection & Energy, 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site conditions</p> |

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|---|------------------------|
| <p>Thomas Sherman Bureau Chief of Hazardous Waste Engineering New Jersey Department of Environmental Protection & Energy 401 East State Street* Trenton, NJ 08625-0438</p> | <p>Site conditions</p> |
| <p>Kris Geller Technical Coordinator, Bureau of Environmental Evaluation and Risk Assessment, New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438 (609)777-1038*</p> | <p>Site conditions</p> |
| <p>Murdo Morrison Case Manager, Bureau of Environmental Evaluation, Cleanup and Responsibility Assessment, New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438 (609)633-7141*</p> | <p>Site conditions</p> |
| <p>Jerry O'Donnell New Jersey Department of Environmental Protection & Energy, Division of Responsible Party Site Remediation 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site conditions</p> |
| <p>Renee Bancroft Geologist, Bureau of Ground Water Discharge Control, New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site conditions</p> |
| <p>Karen Fell Section Chief, Division of Water Resources, Bureau of Ground Water Discharge Control New Jersey Department of Environmental Protection & Energy 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site conditions</p> |

| | |
|---|-------------------------|
| <p>Wayne C. Howitz Assistant Director Industrial Site Evaluation Element, New Jersey Department of Environmental Protection & Energy, Division of Hazardous Waste Management 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site remediation</p> |
| <p>Bryan Moore New Jersey Department of Environmental Protection & Energy Supervisor , Bureau of Environmental Evaluation and Cleanup Division of Hazardous Waste 401 East State Street Trenton, NJ 08625-0438 (609)633-1454*</p> | <p>Site remediation</p> |
| <p>Bruce Venner Chief, Bureau of Case Management New Jersey Department of Environmental Protection & Energy, Division of Responsible Party Site Remediation 401 East State Street Trenton, NJ 08625-0438*</p> | <p>Site remediation</p> |
| <p>William Nehls Gary Annibal Compliance Management Inc. (CMI) 53 S. Jefferson Road, Unit D Whippany, NJ 07981 (201)428-6050*</p> | <p>Site conditions</p> |
| <p>Wayne C. Wren United Enviro Systems, Inc. P.O. Box 524 Chester, NJ 07930 (201)927-1488*</p> | <p>Site conditions</p> |
| <p>Blasland, Bouck & Lee, now Arcadis Raritan Plaza III Fieldcrest Ave. Edison, NJ 08837*</p> | <p>Site conditions</p> |
| <p>Denis C.K. Lin, Ph.D. ETC Environmental Testing and Certification Corp. 234 Raritan Center Parkway Edison, NJ 08837 (201) 225-5800*</p> | <p>Site conditions</p> |

| | |
|---|-----------------|
| William F. Hoehlein Killam Associates 27 Bleeker St. Milburn, NJ 07041 (201)379-3400* | Site conditions |
| John P. DiCola LaSalle Partners Investment Management Servs. Gp. 220 West 42 nd Street New York, NY 10017 (212)661-6161* | Site conditions |
| Michael Friedman Carol Campman Laura Newgard EcolSciences, Inc. 75 Fleetwood Drive, Suite 250 Rockaway, NJ 07866* | Site conditions |
| David Pry Malcolm Pirnie, Inc. 1 International Blvd. Mahwah, NJ 07495-0018* | Site conditions |
| Thomas D. McCann Williamson, Picket, Gross, Inc. 85 John Street New York, NY 10038 (212)233-6810* | Site conditions |
| John Gallo Town & Country Developers at Clifton North, Inc. c/o Whitewell Barister & Brown 200 Park Ave. New York, NY 10166* | Site Conditions |
| Karl Reidel, Esq. Town and Country Developers 300 Tice Blvd. Woodcliff Lake, NJ 07675* | Site Conditions |
| Thomas J. Gortych Wyeth LLC c/o Holland & Knight LLP | Site Conditions |
| Kenneth C. Koneval c/o Holland & Knight LLP | Site conditions |
| Steven A. Tasher, Esq. c/o Holland & Knight LLP | Site conditions |
| John McKnight c/o Holland & Knight LLP | Site conditions |

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|--|-----------------|
| Nick Yin c/o Holland & Knight LLP | Site conditions |
| Joseph F. Terenzi c/o Holland & Knight LLP | Site conditions |
| James E. Shirk, P.E., D.E.E. c/o Holland & Knight LLP | Site conditions |
| Charles H. Sarlo c/o Holland & Knight LLP | Site conditions |
| J.F. Nash c/o Holland & Knight LLP | Site conditions |
| Steven Meszaros Wyeth LLC c/o Holland & Knight LLP | Site conditions |
| William Kelly c/o Holland & Knight LLP | Site conditions |
| Robert N. Hiatt c/o Holland & Knight LLP | Site conditions |
| John E. Titmas c/o Holland & Knight LLP | Site conditions |
| Robert Draeger c/o Holland & Knight LLP | Site conditions |
| Peter Bundock c/o Holland & Knight LLP | Site conditions |
| Louis Savarese c/o Holland & Knight LLP | Site conditions |
| Hank Cenicola c/o Holland & Knight LLP | Site conditions |
| Geraldine Smith c/o Holland & Knight LLP | Site Conditions |
| Richard B. Tabakin c/o Holland & Knight LLP | Site conditions |
| Daniel J. Mulvaney c/o Holland & Knight LLP | Site Conditions |

* Last Known Address

b. The name, address and telephone number, as may be known, of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses (unless the use would be solely for impeachment);

Response

| Name, Address and Phone Number | Subject |
|--|-----------------|
| William Nehls Gary Annibal Compliance Management Inc. (CMI) 53 S. Jefferson Road, Unit D Whippany, NJ 07981 (201)428-6050* | Site conditions |
| Wayne C. Wren United Enviro Systems, Inc. P.O. Box 524 Chester, NJ 07930 (201)927-1488* | Site conditions |
| Blasland, Bouck & Lee, now Arcadis Raritan Plaza III Fieldcrest Ave. Edison, NJ 08837* | Site conditions |
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| William F. Hoehlein Killam Associates 27 Bleeker St. Milburn, NJ 07041 (201)379-3400* | Site conditions |
| John P. DiCola LaSalle Partners Investment Management Services Group 220 West 42 nd Street New York, NY 10017 (212)661-6161* | Site conditions |
| Michael Friedman Carol Campman Laura Newgard EcolSciences, Inc. 75 Fleetwood Drive, Suite 250 Rockaway, NJ 07866* | Site conditions |
| David Pry Malcolm Pirnie, Inc. 1 International Blvd. Mahwah, NJ 07495-0018* | Site conditions |

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| Thomas D. McCann Williamson, Pickett, Gross, Inc. 85 John Street New York, NY 10038 (212)233-6810* | Site conditions |
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| Karl Reidel, Esq. Town and Country Developers 300 Tice Blvd. Woodcliff Lake, NJ 07675* | Site Conditions |
| Thomas J. Gortych c/o Holland & Knight LLP | Site Conditions |
| Kenneth C. Koneval c/o Holland & Knight LLP | Site conditions |
| Steven A. Tasher, Esq. c/o Holland & Knight LLP | Site conditions |
| John McKnight c/o Holland & Knight LLP | Site conditions |
| Nick Yin c/o Holland & Knight LLP | Site conditions |
| Joseph F. Terenzi c/o Holland & Knight LLP | Site conditions |
| James E. Shirk, P.E., D.E.E. c/o Holland & Knight LLP | Site conditions |
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| J.F. Nash c/o Holland & Knight LLP | Site conditions |
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| Geraldine Smith c/o Holland & Knight LLP | Site Conditions |
| Richard B. Tabakin c/o Holland & Knight LLP | Site conditions |
| Daniel J. Mulvaney c/o Holland & Knight LLP | Site Conditions |

* Last Known Address

c. The name, address and telephone number, as may be known, of any and all past or present owners, lessees or operators at the site(s) and/or properties with which it is associated in the Third-Party Complaint and the dates of such ownership, lease or operation, as may be known;

Response

| Name, Address and Phone Number | Dates of Ownership |
|--|---|
| Shulton, Inc., subsequently acquired by The Procter & Gable Company 1 Procter & Gamble Plaza Cincinnati, Ohio 45202-3315 (513)983-1100 | 1946-1990 (Prior to 1946, land use was limited to residential and agricultural purposes. Shulton, Inc. acquired the property from small farmers and homeowners) |
| American Cyanamid Company (now Wyeth Holdings, Inc.) c/o Holland & Knight LLP | 1990-1997 |
| Wyeth (formerly American Home Products Corporation) (Now Wyeth LLC, a subsidiary of Pfizer, Inc.) c/o Holland & Knight LLP | 1997- 2000 |
| Town and Country Developers at Clifton North, Inc. c/o Whitewell Barister & Brown 200 Park Avenue New York, NY 10166* | 2000 – Current (Purchaser) |

* Last Known Address

d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual known to have material knowledge of an alleged discharge or release of a Pollutant at or from a site and/or property, or into the Newark Bay Complex), any known

inability to testify due to age, infirmity, or incompetency within 12 months following the date of the Initial Disclosure;

Response:

None

e. A description by category and location (or copy at the discretion of the Third-Party Defendant) of all documents or electronically stored information that the disclosing party has in its possession, custody, or control with respect to Alleged Discharges including disclosure of the extent to which such documents or electronically stored information may fall within the Excepted Information.

Response

| Category | Location | Applicable Category of Excepted Information ¹ |
|---|---|--|
| Environmental reports, sampling data, and related documents | Holland & Knight LLP; additional documents may be available within the public domain (i.e. through New Jersey Department of Environmental Protection, the City of Clifton and other government agencies)) | Some or all of these documents fall under excepted information categories a, b and g |

¹ Applicable Exception codes are as follows:

a. Information, ("Information"), including, but not limited to, environmental, chemical and/or biological testing of groundwater, surface water, soil or sediment (hereinafter "Sampling Information") contained in the nexus packages produced pursuant to paragraph 8(e) of CMO V;

b. Information previously produced to any branch, department, agency or instrumentality of the State of New Jersey including to the New Jersey Department of Environmental Protection ("NJDEP") or Information produced to any other governmental agency or entity whose responsibility it is to oversee environmental compliance in the Newark Bay Complex area, including, but not limited to, the United States Environmental Protection Agency and the United States Army Corps of Engineers (hereinafter "Governmental Recipients"); and

g. Information that falls within the attorney-client privilege and/or the attorney work product privilege.

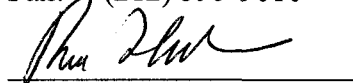
| | | |
|--|--|--|
| Correspondence with government agencies | Holland & Knight LLP; additional documents may be available within the public domain (i.e. through New Jersey Department of Environmental Protection, the City of Clifton and other government agencies) | Some or all of these documents fall under excepted information categories a, b and g |
| Correspondence with environmental consultants | Holland & Knight LLP | Some or all of these documents fall under excepted information categories a, b and g |
| Internal Shulton, Inc., American Cyanamid and Wyeth corporate correspondence | Holland & Knight LLP | Some or all of these documents fall under excepted information categories a, b and g |

Respondent's Initial Disclosures are made without prejudice to their right to change or supplement their responses, their right to assert privileges or objections with respect to any subsequent requests for discovery, and their right to introduce at trial additional evidence and documents as warranted by the development of the facts underlying this litigation.

Dated: January 22, 2010

Respectfully Submitted,

Sean C. Sheely
Katherine A. Skeele
HOLLAND & KNIGHT, LLP
195 Broadway
New York, NY 10007
Tel: (212) 513-3397
Fax: (212) 395-9010



Bonni F. Kaufman
HOLLAND & KNIGHT, LLP
2099 Pennsylvania Avenue, N.W.
Washington, DC 20006
Tel: (202) 955-3000
Fax: (202) 955-5564

*Attorneys for Third-Party Defendants American
Cyanamid Company (now known as Wyeth Holdings
Corporation), Wyeth (now known as Wyeth LLC), and
Shulton, Inc., solely as to allegations in Third Party
Complaint D related to the Clifton, NJ facility*

Sean C. Sheely
Katherine A. Skeele
HOLLAND & KNIGHT, LLP
195 Broadway
New York, New York 10007
Tel: (212) 513-3397
Fax: (212) 395-9010

Bonni Kaufman
HOLLAND & KNIGHT, LLP
2099 Pennsylvania Ave., N.W.
Washington, DC 20006
Tel: (202)955-3000
Fax: (202)955-5564

Attorneys for Third-Party Defendants
Wyeth, American Cyanamid Company
and Shulton, Inc.

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION and
THE ADMINISTRATOR OF THE NEW
JERSEY SPILL COMPENSATION FUND,

Plaintiffs

v.

OCCIDENTAL CHEMICAL
CORPORATION, TIERRA SOLUTIONS,
INC., MAXUS ENERGY CORPORATION,
REPSOL YPF, S.A., YPF, S.A., YPF
HOLDINGS, INC. and CLH HOLDINGS,
INC.,

Defendants.

MAXUS ENERGY CORPORATION and
TIERRA SOLUTIONS, INC.,

Third-Party Plaintiffs,

vs.

AMERICAN CYANAMID, et.al.

Third-Party Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO. L-9868-05 (PASR)

CIVIL ACTION

CERTIFICATE OF SERVICE

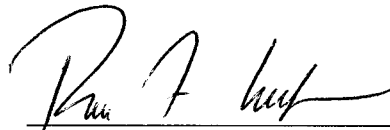
BONNI KAUFMAN, of full age, hereby certifies as follows:

I am an attorney employed by the firm of Holland & Knight LLP, counsel for Third-Party Defendants American Cyanamid Company (now known as Wyeth Holdings Corporation), Wyeth (now known as Wyeth LLC), and Shulton, Inc.

On January 22, 2010, I served via S-File a true and complete copy of the within CMO V THIRD-PARTY INITIAL DISCLOSURE upon the counsel of record for parties that have consented to electronic service.

Also on January 22, 2010, I served via U.S. mail a true and complete copy of the within CMO V THIRD-PARTY INITIAL DISCLOSURE upon the counsel of record for parties that have not consented to electronic service, as set forth on the attached counsel list.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Bonni F. Kaufman

Dated: January 22, 2010

| Named Third-Party\Defendant | Counsel of Record |
|-------------------------------------|--|
| City of Clifton | Thomas M. Egan, Esquire Assistant Municipal Attorney City of Clifton Law Department 900 Clifton Avenue Clifton, NJ 07013 |
| City of Orange | John P. McGovern, Esquire Assistant City Attorney City of Orange Township 29 North Day Street Orange, NJ 07050 |
| Clean Earth of North Jersey, Inc. | Eric S. Aronson, Esquire Greenberg Traurig, LLP 200 Park Avenue Florham Park, NJ 07932 |
| Passaic Pioneers Properties Company | John A. Daniels, Esquire Daniels & Daniels LLC 6812 Park Avenue Guttenberg, New Jersey 07093 |
| Roman Asphalt Corporation | Michael V. Calabro, Esquire Law Offices of Michael V. Calabro 466 Bloomfield Avenue, Suite 200 Newark, New Jersey 07107 |
| Township of Irvington | Gustavo Garcia, Municipal Attorney Township of Irvington Irvington Municipal Building Civil Square Irvington, New Jersey 07111 |