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**ATTORNEYS for THIRD-PARTY DEFENDANT
CRODA, INC.**

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION and THE ADMINISTRATOR OF THE NEW JERSEY SPILL COMPENSATION FUND,	:	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: ESSEX COUNTY
	:	
Plaintiffs	:	DOCKET NO. L-9868-05
	:	
v.	:	CIVIL ACTION
	:	
OCCIDENTAL CHEMICAL CORPORATION, TIERRA SOLUTIONS, INC., MAXUS ENERGY CORPORATION, REPSOL YPF, S.A., YPF, S.A., YPF HOLDINGS, INC. and CLH HOLDINGS, INC.,	:	CMO V THIRD-PARTY INITIAL DISCLOSURE
	:	
Defendants.	:	
	:	
MAXUS ENERGY CORPORATION and TIERRA SOLUTIONS, INC.,	:	
	:	
Third-Party Plaintiffs,	:	
	:	
vs.	:	
	:	
3M COMPANY, <i>et al.</i> ,	:	
	:	
Third-Party Defendants.	:	
	:	

Comes now Third-Party Defendant Croda, Inc. ("Respondent"), and for its Initial Disclosure in accordance with Case Management Order V provides the following specific information.

Reservations

1. Respondent reserves the right to object to the production of any documents or other information on any ground, including relevance and undue burden, and to assert any applicable privilege, including the attorney-client privilege, the work product

doctrine, the common interest doctrine, and any other applicable privilege or protection. These disclosures are not intended to prejudice or waive any privileges or objections Respondent may have with respect to any outstanding or subsequent requests for discovery.

2. Respondent's investigation in this matter is continuing. Accordingly, it reserves the right to supplement, clarify, and revise these disclosures to the extent additional information becomes available or is obtained through discovery. Further, Respondent reserves the right to amend these disclosures to the extent the claims brought by or alleged against Respondent in this litigation are amended.

3. The time period covered by the allegations in the Plaintiffs' Second Amended Complaint is quite long and encompasses at least six decades. The geographic scope of the Second Amended Complaint is also quite broad, covering the 'Newark Bay Complex,' which spans the 'lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill van Kull, and into adjacent waters and sediments.' Second Amended Complaint, 1. The scope of inquiry required by Plaintiffs and Third-Party Defendants is accordingly quite broad and potentially burdensome. Respondent is therefore engaged in a continuing and reserves the right to supplement and modify these disclosures.

Initial Disclosures

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 former location of Hummel Lanolin Corporation at 185 Foundry Street, Newark, Essex County, New Jersey (the "Site") and/or properties with which the disclosing party is associated in the Third-Party Complaint ("Alleged Discharges").

Response

i. Persons who may have knowledge of facility operations that may have resulted in the discharge of materials to the Passaic River.

Name	Address	Phone Number
Peter H. Cade	28 North Findley Avenue Basking Ridge, NJ 07920	908.221.1408
Kevin Gallagher	300-A Columbus Circle Edison, NJ 08837-3907	732.417.0800
Martin Harrison	Cowick Hall Snaith Goole East Yorkshire DN149AA England	+44 (1405) 860551
Charley Irace	2695 Maraval Court Cape Coral, FL 33991	201.230.8351
Dave Johnson	8 Croda Way Mine Hall, PA 1751	570.748.7796
Chotu Patel	3555 Sunnyside Road Center Valley, PA 07652	610.868.5713
Manu Patel	5 Jerome Court Belleville, NJ 07109	unknown
Abel Pereira	300-A Columbus Circle Edison, NJ 08837-3907	732.417.0800
C.L. "Tuff" Rine	8 Croda Way Mine Hall, PA 1751	570.748.7796
Ron Smith	unknown	

ii. Persons that may have knowledge of the environmental condition of the facility located at 113 Passaic Avenue, Kearny, NJ, and the facility's potential impact upon the Passaic River.

Name	Address	Phone Number
Kevin Gallagher	300-A Columbus Circle Edison, NJ 08837-3907	732.417.0800
Chotu Patel	3555 Sunnyside Road Center Valley, PA 07652	610.868.5713
Abel Pereira	300-A Columbus Circle Edison, NJ 08837-3907	732.417.0800
C.L. "Tuff" Rine	8 Croda Way Mine Hall, PA 1751	570.748.7796
Bruce Scarbrough	Formerly of Dames & Moore; current contact information unknown	

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: Kevin Gallagher, Dave Johnson, Martin Harrison, Chotu Patel, Abel Pereira and C.L. "Tuff" Rine; see above for contact information.

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: Respondent refers the parties to the April 1991 NJDEP Memorandum re: Responsible Party Investigation, Foundry Street Complex (AKA Arkansas Chemical, Hummel Chemical), 185 Foundry Street, Newark, NJ provided by Defendants in its Nexus Package for the former facility located at this 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 known at this time.

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: Information identified below is located at Croda Inc., 300-A Columbus Circle, Edison, NJ 08837-3907 and/or Lowenstein Sandler, 65 Livingston Avenue, Roseland, NJ 07068

Category	Applicable Exception ¹
Blueprints/diagrams	
Materials relating to USEPA and NJDEP air, water, waste, ISRA and other environmental regulatory and liability programs and the Site's compliance therewith	See 1.a and 1.b, below
Correspondence and other communications with Martin Novack, Esq., and Norman W. Spindel, Esq.	See 1.c., below
Materials related to facility's potential impact upon Passaic River ²	See 1.a., b., and c, below

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.

¹ Applicable Exception Codes are as follows:

a. 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

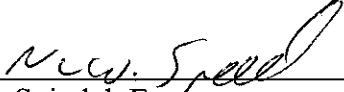
c. Information that falls within the attorney-client privilege and/or the attorney work product privilege.

² Information identified herein is for the former Hummel Lanolin site located at 185 Foundry Street, the site identified by the Defendants as potentially impacting the Passaic River (the "Site"). Respondent further states that information regarding operations at foreign locations similar to those historically conducted at the Site may be informative as to the Site's operations and potential impact upon the Passaic River.

Dated: April 29, 2009

Respectfully submitted,

LOWENSTEIN SANDLER PC
Attorneys for Third-Party Defendant
Croda, Inc.



Norman W. Spindel, Esq.