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March 10, 2010

**VIA ELECTRONIC SERVICE
AND REGULAR MAIL**

All Counsel of Record Consenting to Electronic Service
All Counsel of Record via Regular Mail as Listed on the Certificate of Service

**Re: NJDEP, et al v. Occidental Chemical Corporation, et al.
v. 3M Company, et al.
Docket No.: L-009868-05 (PASR)**

Dear Counsel:

This firm represents Third-Party Defendant, Davanne Realty Company (“Davanne”) in the above-referenced matter. Enclosed please find our client’s Third-Party Initial Disclosure pursuant to Case Management Order V, dated April 16, 2009.

Very truly yours,



Arthur J. Clarke

AJC:jll
Enclosures

CERTIFICATION OF SERVICE

I, ARTHUR J. CLARKE, hereby certify under penalty of perjury that:

1. I am an attorney-at-law in the State of New Jersey and am associated with the law firm Herold Law, P.A., attorneys for Davanne Realty Company.

2. I am a member in good standing of the bar of this Court.

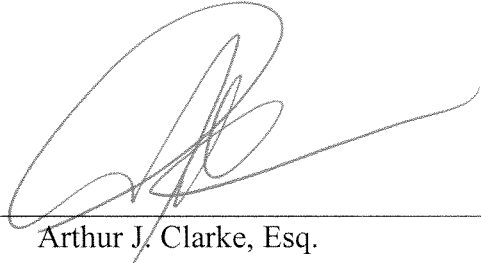
3. On March 10, 2010, a copy of Davanne Realty Corporation's CMO V Third-Party Initial Disclosures was served electronically on all parties who have consented to service via electronic posting on the following website, <http://njdepvocc.sfile.com>.

4. On March 10, 2010, a copy of Davanne Realty Corporation's CMO V Third-Party Initial Disclosures was served via regular mail on counsel for all parties who have not consented to service by electronic posting:

NAMED THIRD-PARTY DEFENDANT	THIRD-PARTY COMPLAINT	NOTICE OF APPEARANCE COUNSEL OF RECORD
Borough of Hasbrouck Heights	A	Richard J. Dewland Coffey & Associates 465 South Street Morristown, NJ 07960 973.539.4500 rjd@coffeylaw.com
City of Orange	A	Assistant City Attorney City of Orange Township 29 North Day St. Orange, Ni 07050 973.266.4197 973.674.2021 -fax jmcgovern@ci.orange.nj.us

Passaic Pioneers Properties Company	B	John A. Daniels Daniels & Daniels LLC 6812 Park Ave. Guttenberg, NJ 07093 202.868.1868 201.868.2122 - fax jad1903@gmail.com
Township of Hillside	A	Christine M. Burgess Township Attorney Hillside Township Municipal Bldg. 1409 Liberty Ave. Hillside, NJ 07205 973.926.3000 973.926.9232 – fax
Township of Irvington	A	Ilustavo Garcia Municipal Attorney Township of Irvington Irvington Municipal Building Civic Square Irvington, NJ 07111 973.399.6637 973.399.6723 - fax

I hereby 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.



 Arthur J. Clarke, Esq.

Dated: March 10, 2010

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Warren, New Jersey 07059
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Attorneys for Third-Party Defendant
Davanne Realty Co.

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, THE
COMMISSIONER OF THE 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,

v.

MAXUS ENERGY CORPORATION and TIERRA
SOLUTIONS,
INC.,

Third-Party Plaintiffs,

v.

3M COMPANY, *et al.*,

Third-Party Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO. ESX- L-9868-05 (PASR)

CIVIL ACTION

**INITIAL DISCLOSURE OF
DAVANNE REALTY CO.**

Davanne Realty Co., in accordance with all applicable provisions of Case Management Order VIII and the New Jersey Rules of Court, hereby makes the following initial discovery disclosures. These disclosures are based upon information reasonably available to Davanne as of the date hereof and do not purport to identify every witness or document possibly relevant to this case. Davanne reserves the right to supplement or amend these disclosures based upon subsequently filed pleadings and other submissions and/or further investigation and discovery in this matter.

DISCLOSURES

1. The name, address and telephone number, as may be known, of each individual likely to have discoverable information, along with the subject 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”).

Disclosure: David Mandelbaum, Mandelbaum and Mandelbaum, 80 Main Street, West Orange, New Jersey (973) 325-0011.

2. 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).

Disclosure: David Mandelbaum, Mandelbaum and Mandelbaum, 80 Main Street, West Orange, New Jersey (973) 325-0011.

3. 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.

Disclosure:

Owner Name	Dates	Operations
Troast-Sletteland Enterprises	Unknown-1958	Unknown
Harry E. Katz and Fannie Katz	1958-1982	Unknown
Davanne Realty Co. – Owner	1982-Present	Real Estate ownership

Operator Name	Dates	Operations
Parsons Ammonia Company	1958-1962	Unknown
Armour-Dial, Inc./Dial Corporation	1962-1988	See March 5, 2010 Answer of Dial Corporation

4. With respect to any individual identified pursuant to the preceding paragraphs, (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.

Disclosure: Davanne is currently unaware of any inability to testify due to age, infirmity, or incompetency with respect to the individuals identified pursuant to the preceding paragraphs.

5. 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

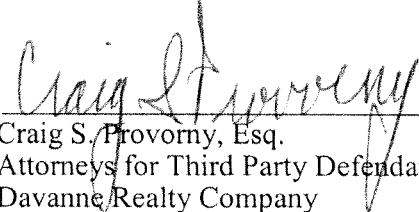
Excepted Information.

Disclosure: Davanne has a limited number of documents in its possession, custody, or control that relate to the Alleged Discharges to the Newark Bay Complex during its ownership of the Davanne Site. Davanne has documents regarding this Site that relate to a prior ECRA case that took place at the Davanne Site. Davanne reserves the right to supplement this response as discovery in this matter proceeds.

Respectfully submitted,

HEROLD LAW, P.A.

By:



Craig S. Provorny, Esq.
Attorneys for Third Party Defendant,
Davanne Realty Company

Dated: March 9, 2010