

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 Okonite may have with respect to any outstanding or subsequent requests for discovery.

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

3. The allegations in the Plaintiffs' Second Amended Complaint and Third Party Plaintiffs' Third-Party Complaint "B" (collectively "Complaints") cover a broad time period, encompassing at least six decades. The geographic scope of the Complaints are also 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, para. 1. The scope of inquiry required by Plaintiffs, Third Party Plaintiffs and Third-Party Defendants is accordingly broad and potentially burdensome. Okonite is therefore engaged in a continuing investigation 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 site(s) and/or properties with which the disclosing party is associated in the Third-Party Complaint ("Alleged Discharges").

Response:

Okonite objects to the form of the question to the extent that it assumes or concludes there was an "alleged discharge or release of pollutants, contaminants and/or hazardous substances" to the Newark Bay Complex from the site with which Okonite is associated in Third Party Complaint "B." Subject to this objection and the Reservations stated above, the individuals listed below are likely to have discoverable information responsive to this disclosure request:

James J. Groome
Director, Safety & Environmental Programs
The Okonite Company Inc.
102 Hilltop Road
Ramsey, NJ 07446
(201) 825-0300

Donald Nelson
Former V.P. - Manufacturing (retired)
c/o The Okonite Company Inc.
102 Hilltop Road
Ramsey, NJ 07446
(201) 825-0300

Nicholas Harvanovich
Former Dir., Facilities Engineering (retired)
c/o The Okonite Company Inc.
102 Hilltop Road
Ramsey, NJ 07446
(201) 825-0300

Because of the breadth and ambiguity of Third-Party Plaintiffs' claims, Okonite reserves the right to identify other persons with relevant knowledge of this matter as the nature and basis of Third-Party Plaintiffs' claims become clearer.

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:

James J. Groome
Director, Safety & Environmental Programs
The Okonite Company Inc.
102 Hilltop Road
Ramsey, NJ 07446
(201) 825-0300

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:

The Third-Party Defendant The Okonite Company, Inc. owned the Okonite Site from sometime in 1878 to February 23, 1993.

On February 23, 1993 Okonite sold the Okonite Site to 220 Passaic Street Associates Inc., a New Jersey corporation.

Okonite is researching the identities of any easement holders, and will supplement this response in due course.

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 of the individual(s) identified in paragraphs (a), (b) and (c) have a known inability to testify due to age, infirmity, or incompetence.

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:

Okonite objects to the form of the question to the extent that it assumes or concludes there were "Alleged Discharges" to the Newark Bay Complex from the Okonite Site. Subject to this objection and the Reservations stated above, Okonite has possession, custody and control of documents relating to the Okonite Site remedial investigation and remediation performed under the aegis of the New Jersey Department of Environmental Protection. The documents are located at:

The Okonite Company Inc.
102 Hilltop Road
Ramsey, NJ 07446

Other relevant documents are maintained by:

The State of New Jersey
New Jersey Department of Environmental Protection
401 E. State Street
Trenton, NJ 08625

U.S. Environmental Protection Agency
Region II
290 Broadway
New York, NY

Certain of the documents fall within the Excepted Information because such documents constitute: (a) information contained in the nexus packages produced pursuant to paragraph 5(e) of CMO V; (b) information previously produced to Governmental Recipients; (c) information produced to an LSRP; or (d) information that falls within the attorney-client privilege and/or other attorney work product privilege.

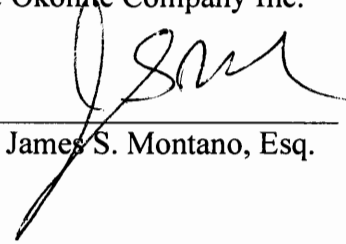
Categories of documentation include but are not limited to:

- Permits from environmental authorities and related correspondence and applications.
- Correspondence and enclosures to and from environmental authorities including U.S. EPA and N.J. DEP.
- Documentation concerning N.J. DEP ISRA Case #E89536.
- Documentation concerning Remedial Action Plan dated February 1, 1999, and subsequent Remedial Action Plans.
- Environmental sampling information.

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

Dated: June 22, 2010

Respectfully submitted,
Attorney for Third Party Defendant
The Okonite Company Inc.

A handwritten signature in black ink, appearing to read 'J. Montano', is written over a horizontal line. The signature is cursive and somewhat stylized.

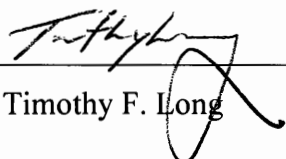
By: James S. Montano, Esq.

CERTIFICATION OF SERVICE

I, Timothy F. Long, hereby certify that I served upon on all parties which have consented to electronic service per the January 6, 2010 Service List at www.sfile.com/njdepvocc; and served upon all parties that have not consented to electronic service as per the February 5, 2010 Service List, on June 22, 2010 by depositing a true copy of same securely enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

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.

Dated: June 22, 2010

Signature:  _____
Timothy F. Long