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ATTORNEYS FOR THIRD PARTY DEFENDANT ZENECA, INC.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION and THE ADMINISTRATOR OF THE NEW JERSEY SPILL COMPENSATION FUND,	:	SUPERIOR COURT OF NEW JERSEY
	:	JERSEY
	:	LAW DIVISION: ESSEX COUNTY
	:	
Plaintiffs	:	DOCKET NO. L-9868-05
v.	:	
	:	
OCCIDENTAL CHEMICAL CORPORATION, TIERRA SOLUTIONS, INC., MAXUS ENERGY CORPORATION, REPSOL YPF, S.A., YPF, S.A., YPF HOLDINGS, INC. and CLH HOLDINGS, INC.,	:	CIVIL ACTION
	:	ZENECA, INC.'S 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 Zeneca, 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 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: The Third Party Complaint alleges that Respondent is responsible as the successor to Converters Ink Company (“Converters Ink”), a company that allegedly discharged hazardous substances from the Bayonne Barrel and Drum Site. After some corporate restructuring, the assets of the former Converters Ink Company were sold to Sun Chemical in 1996. Accordingly, Respondent never owned or operated Bayonne Barrel and Drum Site and does not currently own or operate Converters Ink or its successor. As such, Respondent has no personal knowledge of the information requested in this Initial Disclosure. Subject to this clarification, Respondent identifies the following individuals who were identified by Respondent in 1995 in response to a request from the USEPA regarding the Bayonne Barrel and Drum Site. The contact information below is for the facility address and phone number provided to the USEPA at that time. Respondent requests that it be notified prior to Plaintiff attempts to contact any individual listed hereinbelow.

Name	Address	Phone Number
Phil Pierro	1201 South Park Ave. P.O. Box 1512 Linden, NJ 07036	(908) 486-5125
Vince Giannacola	1201 South Park Ave. P.O. Box 1512 Linden, NJ 07036	(908) 486-5125
Joseph Piccirillo	1201 South Park Ave. P.O. Box 1512 Linden, NJ 07036	(908) 486-5125

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: See Response above.

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: With the exception of the Bayonne Barrel and Drum Company, unknown.

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: Unknown, see Response to (a) above.

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: As noted above, Respondent never owned or operated the Bayonne Barrel and Drum Site and the company's only alleged nexus with that site is its predecessor's alleged shipment of drums to Bayonne Barrel and Drum for reconditioning and reuse. Respondent has no documents related to any "Alleged Discharges" but identifies documents related to EPA's activities at the Bayonne Barrel and Drum Site and tickets related to drum transactions.

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

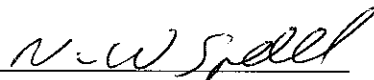
respect to any subsequent requests for discovery, and their right to introduce at trial additional evidence and documents as warranted by the development of the facts underlying this litigation.

Dated: January 6, 2010

Respectfully submitted,

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