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Attorneys for Apolan International, Inc., Third-Party Defendant

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, et al.

Plaintiffs,

v.

OCCIDENTAL CHEMICAL
CORPORATION, et al,

Defendants,

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. L-009868-05

Civil Action

INITIAL DISCLOSURE STATEMENT OF
THIRD-PARTY DEFENDANT,
APOLAN INTERNATIONAL, INC.'S

APOLAN INTERNATIONAL INC.'S INITIAL DISCLOSURE STATEMENT

Third-Party Defendant Apolan International, Inc. ("Apolan"), by and through its undersigned counsel, and in accordance with this Court's Case Management Order VIII, entered August 11, 2009 ("CMO VIII"), hereby serves its Initial Disclosure Statement.

Reservations

1. Apolan reserves the right to object to the production of any person, document, or other information on any ground, including, without limitation, relevance and undue burden, and to assert any applicable privilege, including, without limitation, the attorney-client privilege, joint defense privilege, and the work product doctrine. By providing these required disclosures, Apolan does not waive, limit, or prejudice its right to object to, or assert privilege in connection with, any current or future information or discovery request.

2. Apolan reserves the right to supplement and/or revise the information disclosed herein to the extent additional information comes to its attention.

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 disclosure parting is associated in the Third-Party Complaint (“Alleged Discharges”).**

1. Mr. Peter Graefe, Mr. Steven Holmes and Mr. Steven Greene are the only individuals at Apolan to have knowledge regarding Apolan’s transactions relevant to his matter. Address: Apolan International, PO Box 790, Oakhurst, NJ 07755. Telephone: 732-922-6570.

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):

1. See Apolan's Disclosure (a).

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:

None known to Apolan at this time.

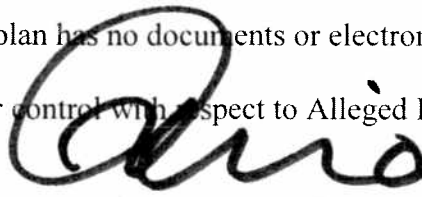
d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual known to have material knowledge of an alleged discharge or release of a Pollutant at or from a site and/or property, or into the Newark Bay Complex), any known inability to testify due to age, infirmity, or incompetency within 12 months following the date of the Initial Disclosure:

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:

To the best of its knowledge, Apolan has no documents or electronically stored information in its possession, custody, or control with respect to Alleged Discharges.

Dated: January 27, 2010



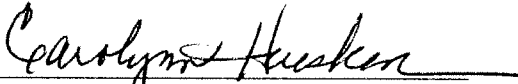
MARC D. POLICASTRO
GIORDANO, HALLERAN & CIESLA
A Professional Corporation
Attorneys for Apolan International, Inc.
Third-Party Defendants

CERTIFICATION OF SERVICE

Carolynn Huesken hereby certifies as follows:

1. I am the legal assistant to Marc D. Policastro, Esq. of the law firm of Giordano, Halleran & Ciesla, which law firm represents Third-Party Defendant Apolan International, Inc. (“Apolan”) in this matter.
2. I hereby certify that Apolan’s Initial Disclosure Statement was served upon the Clerk of the Court, Superior Court of New Jersey, Essex County, 50 W. Market Street, Newark, New Jersey 07102, by regular mail, postage prepaid, on January 27, 2010.
3. I hereby certify that Apolan’s Initial Disclosure Statement was served electronically on all parties who have consented to service by electronic posting on the following website, <http://njdepvocc.sfile.com> on January 27, 2010.
4. I hereby certify that Apolan’s Initial Disclosure Statement was served by regular mail, postage pre-paid, on counsel for all parties who have not consented to service by electronic posting.

Dated: January 27, 2010



Carolynn Huesken

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