

DORSEY & SEMRAU, LLC
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Attorneys for Third-Party Defendant Borough of Fair Lawn

NEW JERSEY DEPARTMENT OF	OF	
ENVIRONMENTAL PROTECTION, THE:		SUPERIOR COURT OF NEW
COMMISSIONER OF THE NEW JERSEY:		JERSEY
DEPARTMENT OF ENVIRONMENTAL:		
PROTECTION and THE ADMINISTRATOR:		
OF THE NEW JERSEY SPILL:		LAW DIVISION: ESSEX COUNTY
COMPENSATION FUND,	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	DOCKET NO. L-9868-05 (PASR)
OCCIDENTAL CHEMICAL:		
CORPORATION, TIERRA SOLUTIONS,:		
INC., MAXUS ENERGY CORPORATION,:		
REPSOL YPF, S.A., YPF, S.A., YPF:		
HOLDING, INC. and CLH HOLDINGS,:		
INC.,	:	
	:	CIVIL ACTION
Defendants.	:	
	:	
MAXUS ENERGY CORPORATION and:		
TIERRA SOLUTIONS, INC.,	:	
	:	INITIAL DISCLOSURE
Third-Party Plaintiffs,	:	STATEMENT of BOROUGH OF
	:	FAIR LAWN
	:	
vs.	:	
	:	
3M COMPANY, et al.,	x	
Third-Party Defendants.		

In accordance with Case Management Order VIII, Borough of Fair Lawn hereby provides its Initial Disclosure Statement.

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

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: Third-Party Defendant Borough of Fair Lawn denies it discharged hazardous substances or pollutants. Any information concerning the administration of public services provided by Borough of Fair Lawn within Borough of Fair Lawn is under the possession and control of:

Joanne Kwasniewski, Acting Manager
Borough of Fair Lawn
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

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: Kenneth Garrison
Municipal Engineer of Borough of Fair Lawn
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

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: None known at this time.

d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual know 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

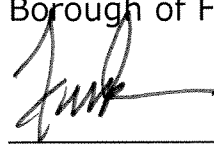
information that the disclosing party has in its possession, custody, or control with respect to Alleged Discharges including disclosure of the extent to which such documents or electronically stored information may fall within the Excepted Information.

RESPONSE: Third-Party Defendant Borough of Fair Lawn denies it has discharged or is a discharger in this matter. To the extent any relevant documents or information is available it is in the custody and control of the Clerk of the Borough of Fair Lawn or the Municipal Engineer.

Third-Party Defendant reserves the right to supplement this Initial Disclosure Statement as additional information is obtained through investigation and discovery.

DORSEY & SEMRAU, LLC
Attorneys for Third Party Defendant
Borough of Fair Lawn

By:



Fred Semrau

Dated: NOV 24, 2009