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December 8, 2009

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RE: NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, et al. v. OCCIDENTAL CHEMICAL CORPORATION, et al. v. MAXUS ENERGY CORPORATION and TIERRA SOLUTIONS, INC. v. BAYONNE MUNICIPAL UTILITIES, et al. - INITIAL DISCLOSURE STATEMENT OF THE BOROUGH OF ROSELLE
Docket No. ESX-L-9868-05 (PASR)

Gentlemen:

Enclosed herein please find Initial Disclosure Statement for the Borough of Roselle in regard to the above captioned mater.

Very truly yours,


JOHN G. HUDAK

cc: Hon. Garrett Smith, Mayor
Members of Borough Council
Renee Henderson, Esq.

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(908) 925-0784
Attorney for Borough of Roselle

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, et al.,

Plaintiffs,

vs

OCCIDENTAL CHEMICAL CORPORATION,
et al.,

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY**

Docket No. ESX-L-9868-05

MAXUS ENERGY CORPORATION and
TIERRA SOLUTIONS, INC.,

CIVIL ACTION

Third-Party Plaintiffs,

**INITIAL DISCLOSURE STATEMENT
OF BOROUGH OF ROSELLE**

vs

BAYONNE MUNICIPAL UTILITIES, et al.

Third-Party Defendants.

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

a. The name and 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 Newark Bay Complex (as these terms as defined in the Second Amended Complaint and the Third-Party is associated in the Third-Party Complaint ("Alleged Discharges")).

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

Clerk of the Borough of Roselle
210 Chestnut Street
Roselle, NJ 07203
908-245-5600

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).

Clerk of the Borough of Roselle
Rhona Bluestein
Borough Clerk of Borough of Roselle
210 Chestnut Street
Roselle, NJ 07203
908-245-5600

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 date 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 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.

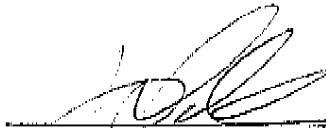
RESPONSE: None known at this time.

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 to which such documents or electronically stored information may fall within the Exempted Information.

RESPONSE: Third-Party Defendant the Borough of Roselle 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 Roselle or the office of the Borough Engineer.

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

Date: December 2, 2009



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