

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA
THE FIRST JUDICIAL CIRCUIT

JOHN ALLEN, et al.

Plaintiffs,

v.

MONSANTO COMPANY, et al.,

Defendants

Case No.: 2008 CA 001762

Division No.: B

PLAINTIFF'S
EXHIBIT

SECOND AMENDED NOTICE OF VIDEO DEPOSITION DUCES TECUM

Please take notice that pursuant to Fla. R. Civ. P. 1.310(b)(6), Plaintiffs' counsel will take the deposition by oral examination of Defendant Solutia, Inc. at **190 Carondelet Plaza, Suite 600 St. Louis, Missouri 63105**, commencing at **9:00 a.m. (CT) on July 19, 2011** and continuing from day to day until complete. This deposition is being taken for the purposes of discovery, for use at trial and for any other such purposes as are permitted under the Florida Rules of Civil Procedure and the Florida Statutes without limitation. The deposition will be taken before a Notary Public or other person authorized by law to take depositions and recorded stenographically and via videotape.

As required by the Rule, Solutia, Inc. shall designate one or more officers, directors or managing agents or other persons who consent to do so to testify on its behalf regarding the matters detailed below known or reasonably available to Solutia, Inc.:

DEFINITIONS

A. "Document" or "Documents" shall be given the most expansive and liberal meaning permitted by Florida law and shall include the original and all copies that differ in any way from the original, regardless of location, of all handwritten, typed, printed, photocopied, photographed, recorded, e-mailed, transcribed, punched, taped, filmed, videotaped or graphic matter, including any means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sound or symbols or combination thereof and whether or not claimed to be privileged on any ground, however produced or reproduced, of

which you have knowledge, to which you have had access or which may be or may have been in your possession, custody, or control.

B. Pensacola Nylon Plant shall mean any and all premises and operations owned, leased, managed, operated and/or under the control of Solutia its agents, assigns, employees, contractors, partners, successors, predecessors (including, but not limited to, Chemstrand, Monsanto, Pharmacia, Ascend, et. al.) and/or wholly owned entities since 1968 which are physically located at or around 3000 Old Chemstrand Rd., Cantonment, Florida, adjoining the Escambia River.

C. "You" and "Solutia" shall mean Solutia, Inc., its agents, assigns, employees, contractors, partners, successors, predecessors (including, but not limited to, Monsanto Chemical Corporation), and/or wholly owned entities.

D. "PCB" or "PCBs" shall mean polychlorinated biphenyls in any amount in pure form or as a component of another material.

MATTERS UPON WHICH TESTIMONY WILL BE REQUIRED

The matters upon which testimony is requested are as follows:

1. The corporate records maintenance and retention policy of Solutia, Inc., and the Pensacola Nylon Plant at issue in this litigation.
2. The electronic data maintenance and retention policy of Solutia, Inc., and the Pensacola Nylon Plant at issue in this litigation, including but not limited to emails, electronic communications, computer servers, personal computer files, media and other electronically stored data.
3. The existence and location of documents regarding the topography and location of buildings; water features, natural and manmade; sewers, ditches and similar controls for managing storm and process water; wells; surface impoundments and any other such improvements at the Pensacola Nylon Plant.

4. The existence and location of documents regarding location, general use, and maintenance of equipment and buildings that contain or once contained PCBs or PCB containing substances including but not limited to sumps, decanters, condensers, capacitors, transformers, natural gas compressor stations and heat transfer fluid piping.
5. The existence and location of documents regarding locations, history, and time period of use, waste characterization and maintenance of all landfills located at the Pensacola Nylon Plant since 1950 which contain or which documents refer to PCBs.
6. The existence and location of documents memorializing communication or interaction with environmental and water regulatory agencies including but not limited to the Florida Department of Environmental Regulation, the Florida Department of Environmental Protection, the United States Environmental Protection Agency, the United States Army Corps of Engineers or the Northwest Florida Water Management District. Such documents shall be limited in scope to those referencing the Pensacola Nylon Plant; Escambia County, Florida; the Escambia River; Santa Rosa County, Florida; the Escambia Bay and / or its contiguous waters.
7. The existence and location of documents memorializing communication or interaction regarding PCBs with environmental and water regulatory agencies including but not limited to the Florida Department of Environmental Regulation, the Florida Department of Environmental Protection, the United States Environmental Protection Agency, the United States Army Corps of Engineers or the Northwest Florida Water Management District. Such documents shall be limited in scope to those referencing the Pensacola Nylon Plant; Escambia County, Florida; the Escambia River; Santa Rosa County, Florida; the Escambia Bay and / or its contiguous waters.
8. The existence and location of documents such as reports, meeting minutes, presentations, due diligence or other documents prepared in response to or preparation for any communication with a local, state or federal environmental and water regulatory agency including but not limited to the Florida Department of Environmental Regulation, the

Florida Department of Environmental Protection, the United States Environmental Protection Agency, the United States Army Corps of Engineers or the Northwest Florida Water Management District.

9. The existence and location of documents such as reports, meeting minutes, presentations, due diligence or other documents regarding PCBs or relating to PCBs prepared in response to or preparation for any communication with a local, state or federal environmental and water regulatory agency including but not limited to the Florida Department of Environmental Regulation, the Florida Department of Environmental Protection, the United States Environmental Protection Agency, the United States Army Corps of Engineers or the Northwest Florida Water Management District.
10. The existence and location of documents constituting, evidencing, or related to environmental reports and / or laboratory testing prepared by Solutia or disseminated to Solutia which relate to PCBs in or around the Pensacola Nylon Plant, the Escambia River or the Escambia Bay.
11. The existence and location of documents constituting, evidencing, or related to environmental reports and / or laboratory testing prepared by Solutia or disseminated to Solutia which relate to the Pensacola Nylon Plant, the Escambia River or the Escambia Bay.
12. The existence and location of documents regarding Documents which evidence corporate structure of Solutia and the Pensacola Nylon Plant at all times relevant to the claims at issue in this litigation.
13. The existence and location of documents regarding documents related to the purchasing, shipping, and / or disposal of PCBs and PCB containing products and industrial fluids such as Therminol, Dowtherm, Pydraul, compressor fluids, flame retardants, lubricants and/or dielectrics used on the premises of the Pensacola Nylon Plant.

14. The existence and location of documents memorializing internal communication or interaction regarding PCBs in or around the Pensacola Nylon Plant. Such documents shall include but not be limited to: memorandum, handwritten notes, emails, letters, facsimile transmissions, reports, meeting minutes, presentations, due diligence and / or laboratory testing.
15. The general contents of the documents sets which the defendants have referred to as the "MONS bates set;" "DSW document collection;" documents with the "MCL" bates stamp prefix; and the documents produced by defendants with "FLA-PCB" bates stamp and the "GNZ" bates stamp. Additionally, with regards to these documents, Solutia shall be prepared to testify to the methodology by which the documents were collected and indexed; the source(s) of said documents; the existence and meaning of the indexing and order to said documents; and the manner by which these sets are maintained and added to.
16. For all documents produced by Solutia in this litigation and the historical document sets to which Solutia has referred to in this litigation, Solutia shall be prepared to testify as to the identities of the parties who collected said documents and the sources from which they were collected, maintained or otherwise produced.

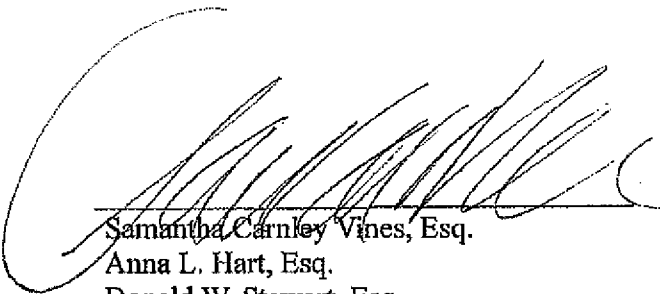
The deponent is requested to bring to the deposition the items listed in the attached Schedule A.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceeding should contact the attorney whose name appears in the signature block below no later than seven (7) days prior to the proceeding.

Schedule A

You are hereby commanded to bring with you to your deposition any of the following items that are within your possession, custody or control.

1. Documents sufficient to demonstrate the records retention policies of Monsanto Company, Pharmacia Corporation, Solutia, Inc., and Ascend Performance Materials both past and present, including but not limited to any manuals, memoranda, guidelines, bulletins, or similar materials intended to inform employees of the policies and procedures for the keeping of corporate records and communications.
2. Documents sufficient to demonstrate the policies and procedures of Monsanto Company, Pharmacia Corporation, Solutia, Inc., and Ascend Performance Materials for the keeping and preservation of electronic records, files and communications originating from, disseminated to, or pertaining in part or whole to the Pensacola Nylon Plant.
3. Documents sufficient to show the contents and organization of the "MONS bates set," the "DSW bates set," the "FLA-PCB" bates set, "MCL bates set" and the "GNZ" bates stamped documents including but not limited to an index, table of contents, charts, lists, file trees, directories or any other means of demonstrating the contents and organization of these documents physically or electronically.



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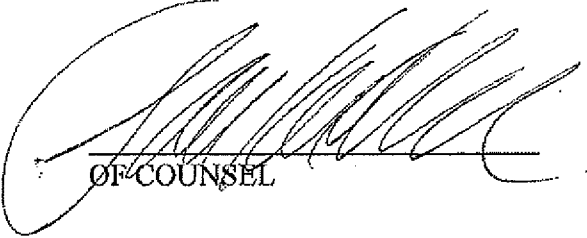
ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This certifies that I have this 17th day of June, 2011, served all parties to this action with a copy of the within and foregoing document by depositing same in the United States mail in a properly addressed envelope with adequate postage affixed thereon and addressed as follows:

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