

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

JOHN ALLEN, et al.,

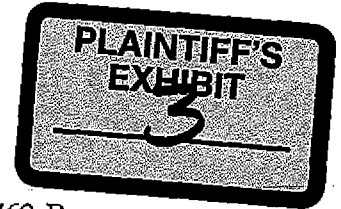
Plaintiffs,

v.

MONSANTO COMPANY, et al.,

Defendants.

Civil Action No. 08-CA-1762-B



**DEFENDANTS' SUPPLEMENTAL OBJECTIONS AND RESPONSES TO
PLAINTIFFS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS TO DEFENDANTS**

COME NOW Defendants Monsanto Company, Pharmacia Corporation, Solutia Inc., and Gary Moore (collectively "Defendants") and submit their Supplemental Objections and Responses to Plaintiffs' First Request for Production of Documents to Defendants.

GENERAL STATEMENT

These answers and objections are made pursuant to the Florida Rules of Civil Procedure, and are subject to the General Objections and Limitations set forth at the end of these responses.

CORPORATE DEFENDANTS' CORPORATE HISTORY

Prior to 1997, Old Monsanto, now known as Pharmacia Corporation, was engaged in the manufacture of, among other things, chemicals, pharmaceuticals and agricultural products. In 1935, Old Monsanto acquired Swann Chemical Co. and from and after the date of that acquisition through 1977 Old Monsanto manufactured and sold polychlorinated biphenyls or PCBs. Old Monsanto manufactured PCBs at its plant in Anniston, Alabama (ceasing in 1971) and at the W.G. Krummrich Plant in the Village of Sauget, Illinois (ceasing as of August 31, 1977). On September 1, 1997, Old Monsanto spun off certain of its chemical businesses into

Solutia Inc., an independent, publicly-owned company. One of the plants conveyed to Solutia as part of this spin-off was the Pensacola Nylon Plant. In 2000, Old Monsanto merged with Pharmacia & UpJohn, Inc., a publicly-owned pharmaceuticals company, with Old Monsanto being the surviving corporation. Upon completion of the merger, Old Monsanto changed its name from Monsanto Company to Pharmacia Corporation. Later in 2000, Pharmacia transferred its agricultural business to a newly-created corporation named Monsanto Company -- New Monsanto. New Monsanto later became an independent, publicly-traded company. The Pensacola Nylon Plant was sold to Ascend Performance Materials on June 1, 2009. As used herein "Old Monsanto" refers to Pharmacia Corporation and "New Monsanto" refers to the currently existing Monsanto Company.

REQUESTS FOR PRODUCTION

1. All correspondence, permits, applications, reporting forms, lab data, or other documents in Your possession, custody or control that originated from, or purport to originate from, or which were sent to, or purport to have been sent to, the Florida Department of Public Health, the Florida Department of Environmental Protection, the Agency for the Toxic Substances and Disease Registry, the federal Environmental Protection Agency, the state or federal Department of Transportation, the state or federal Occupational Safety and Health Administration or any other state or federal department or agency concerning PCXs generally or the Plant specifically.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request as overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. The request is unlimited in time or to the Pensacola Nylon Plant.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed

responses thereto to a reasonable scope sufficient to show the circumstances surrounding PCBs at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request for documents "from 1965 to the present" and to the "facility located at or around 3000 Old Chemstrand Rd, Cantonment, Florida", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs as they may relate to the circumstances surrounding PCBs at the Pensacola Nylon Plant.

2. All documents and things to which You have referred or upon which You have relied in any manner in preparation of Your responses to Plaintiff's First Set of Interrogatories (and any sets filed thereafter throughout the course of this litigation) or which in any way support or substantiate your responses to those interrogatories.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome and harassing. Defendants further object to this request on the grounds that it uses the ambiguous phrase "used by you." Defendants further object to this request on the grounds set forth in General Objection No. 1. Subject to and without waiving these objections and the General Objections, Defendants will produce the specific documents referenced in their Responses to Plaintiffs' First Set of Interrogatories to Defendants.

3. All documents, tapes or other records reflecting or describing meetings or other communications between You or any of Your employees, agents, representatives, or contractors and any Plaintiff.

RESPONSE: Defendants incorporate their General Objections and Limitations as set forth below. Defendants further object to this request as overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. This request is overly broad in that it fails to specify or limit in any way the subject matter of "communications" or "meetings" and fails to specify any time period to which it refers.

Subject to and without waiving these objections and the General Objections, Defendants are presently unaware of any responsive documents. To date, many of the

Plaintiffs have not identified their properties with specificity and Plaintiffs' counsel have advised that they intend to add and drop Plaintiffs.

4. All documents in Your possession or control that refer or relate to any of the Plaintiffs or their properties.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request as overly broad, unduly burdensome, seeks irrelevant information and is not reasonably calculated to lead to the discovery of admissible evidence. Defendants further object to this request on the grounds set forth in General Objection No. 1. Subject to and without waiving these objections and the General Objections, Defendants are presently unaware of any non-privileged documents. To date, Plaintiffs have not identified their properties with specificity and Plaintiffs' counsel have advised that they intend to add and drop Plaintiffs.

5. All documents in Your possession, custody or control reporting or reflecting tests or sampling or results of tests or sampling of dust, soil, water, air, sediment, tissue, blood, or other media for the presence of PCXs collected in the Escambia River, Escambia Bay or the areas surrounding these waters or at the Plant site.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request as overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery of admissible evidence. Defendants further object that the phrase "or in the areas surrounding these waters" is ambiguous. Defendants object to this request to the extent it seeks publicly available information since such documents are equally available to the plaintiffs. Defendants object to this request to the extent it seeks confidential medical information involving persons unrelated to this lawsuit.

Subject to and without waiving these objections and the General Objections, Defendants will produce non-privileged PCB sampling results for PCBs in the environment on the Pensacola Nylon Plant premises as detected and reported to the regulatory agencies.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010, further limiting this request to "PCB test or sampling results on the plant site or surrounding areas", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to

plaintiffs as they may relate to PCB test or sampling results on or around the Pensacola Nylon Plant.

6. All photographs and maps of the Plant in Your possession, custody or control showing the present or historical layout, condition, or construction of the plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to specify any time period to which it relates and fails to define the ambiguous term "condition."

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope to provide exemplars of the layout of the Pensacola Nylon Plant sufficient to show the plant layout as it relates use of PCBs.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning the layout of the Pensacola Nylon Plant sufficient to show the plant layout as it relates use of PCBs.

7. All press releases, advertisements, public pronouncements, or warnings issued by this Defendant pertaining to PCXs generally and the threat, or lack of a threat, of same to the neighbors of the Plant or to Escambia River, Escambia Bay and all connected waterways.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to define or limit in any way the subject matter of the requested "press releases," "advertisements," or "public pronouncements" other than to state "pertaining to PCXs generally," it fails to define the terms "threat" or "lack of threat," and it fails to specify and time period to which it relates. This request is overly broad in that the terms "neighbors of the Plant or to Escambia River, Escambia Bay and all connected waterways" is not limited to the geographic area at issue in Plaintiffs' Complaint.

Subject to and without waiving these objections and the General Objections, Defendants will produce documents sufficient to show press releases and public

announcements issued pertaining to the temporary accidental release of PCBs in 1969 from the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning press releases and public announcements issued pertaining to the temporary accidental release of PCBs in 1969 from the Pensacola Nylon Plant.

8. All correspondence, bid documents, contracts, specifications, invoices, or other documents pertaining to Your use of independent contractors to inventory, study, remove, apply or dispose of toxic or hazardous substances or wastes at the Plant, including specifically PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to define the generic terms “toxic,” “hazardous substances,” or hazardous “wastes” or the ambiguous term “apply.”

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs’ counsel to narrow this request and any agreed responses thereto to a reasonable scope sufficient to show the circumstances surrounding remediation of PCBs at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart’s letter of March 23, 2010 further limiting this request to “documents pertaining to the use of independent contractors to inventory, study, remove, apply or dispose of PCBs from the Pensacola Plant”, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

9. All documents that evidence, refer or relate to the results or report of any environmental audits, risk assessments, or investigation at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to define the generic terms “environmental audits,” “risk assessments”

or "investigation." Defendants further object to this request to the extent it seeks documents or information protected from discovery by the self critical analysis privilege and/or any other applicable privilege or immunity. See General objection No. 1. Defendants object to this request on the grounds that it fails to specify any time frame, subject matter and is not limited to PCBs. Defendants further object to this request to the extent it seeks publicly available information, since such information is equally available to the plaintiffs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope sufficient to show the circumstances surrounding remediation of PCBs at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request "specifically to PCBs" as it relates to "environmental audits, risk assessments or investigation at the Plant", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

10. Any insurance policy which may provide You with coverage for the damages or relief sought herein.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Subject to and without waiving the General Objections, see Defendants' response to Interrogatory No. 5.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, see attached discovery responses dated 5/15/08 concerning insurance issues previously provided in the Corlew litigation.

11. The Chemical Safety Data Sheets, Material Safety Data Sheets, Chemical Safe Handling Information, etc. for any product made at the Plant or material used at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to limit the request to specific chemicals identified in the Complaint and the request is unlimited in time.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs used at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request "to PCBs" Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

12. All meteorological data in Your possession, care or control pertaining to the Plant or its vicinity.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request on the grounds that it fails to specify any time period to which it refers. Defendants object to the ambiguous phrase "pertaining to the Plant or its vicinity." Defendants further object to this request to the extent that it seeks publicly available information, since such information is equally available to the plaintiffs.

13. All hydrogeologic data or reports in Your possession, care or control pertaining to the Plant or its vicinity.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to the use of the undefined term "hydrogeological data" and to the ambiguous phrase "pertaining to the Plant or its vicinity." Defendants object to this request on the grounds that it fails to specify any time period to which it refers. Defendants further object to this request to the extent that it seeks publicly available information, since such information is equally available to the plaintiffs.

14. All documents relating to spills or releases of substances contaminated with PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request on the grounds that it fails to specify any time period, or any person or entity to which it relates. As phrased, this request seeks any document relating to any spill or release of any material in which PCBs, dibenzodioxins or dibenzofurans were present anywhere in the world at any time, by any person or entity, at any concentration, volume or weight.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope involving non-privileged documents sufficient to show the circumstances surrounding any PCB spills or releases at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning any PCB spills or releases at the Pensacola Nylon Plant.

15. All documents in Your possession, care or control relating to the toxicity, hazardousness, or environmental threat of PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to the use of the undefined terms "hazardousness" and "environmental threat." Defendants object to this request to the extent that this request fails to specify any time period to which it relates. Defendants further object to this request to the extent it seeks publicly available information since such information is equally available to the plaintiffs.

Subject to and without waiving these objections and the General Objections and without adopting plaintiffs' terms and characterizations "toxicity," "hazardousness" or "environmental threat", Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning any alleged toxicity and environmental persistence of PCBs, dibenzodioxins or dibenzofurans. Defendants will make available its MONS bates set.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continued objections to undefined terms, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the

DSW and URS document collections that have been made available to plaintiffs concerning any alleged toxicity and environmental persistence of PCBs.

16. The annual corporate reports to shareholders for this Defendant since 1950.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Subject to and without waiving these objections and the General Objections, Defendants have previously produced available annual reports to Plaintiffs' counsel in other litigation. Defendants will endeavor to identify the last date produced and supplement with more recent annual corporate reports.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "annual reports for the last 10 years", see Monsanto Company, Pharmacia Corporation and Solutia Inc.'s 10K Annual Reports for the last ten years. Defendants refer Plaintiffs to the website <http://www.sec.gov/edgar.shtml>, which provides copies of the annual reports going back at least 10 years.

17. The annual budgets for the Plant since 1950.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to the request to the extent that it seeks proprietary, confidential business, confidential financial or trade secret documents.

18. All information provided to Defendants' customers pertaining to PCX containing products.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request because it fails to specify the time period to which it relates and fails to limit in any way the subject matter of the "information" provided other than to use the phrase "pertaining to PCX containing products." As phrased this request would seek advertising, invoices, price quotes, quality control data, etc.

Subject to and without waiving these objections and the General Objections, Old Monsanto has not manufactured, sold or distributed PCBs since 1977. Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope sufficient to show information provided to Old Monsanto's customers pertaining to PCBs. Defendants will make available its MONS bates set.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continued objections to undefined terms, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection and to the DSW document collection that have been made available to plaintiffs.

19. All waste manifests, analyses, bills of lading, internal memos, correspondence, invoices, logs or other documents pertaining to waste disposal at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to specify the time period to which it relates. Defendants further object to this request in that the terms "waste" or "waste disposal" is not limited to PCBs at issue in the Complaint.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope sufficient to show handling of any PCB-related wastes at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "disposal of PCBs at the Pensacola Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning handling of any PCB-related wastes at the Pensacola Nylon Plant.

20. All recordation or memorialization of communications with elected officials concerning the allegations of pollution-related problems at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request because it uses the vague, undefined phrase "the allegations of pollution-related problems at the Plant."

21. Diagrams or lists of the chain of command or managerial hierarchy at the Plant from 1969 until the present.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. As phrased, this request seeks "diagrams" or "lists" of the "chain of command" or "managerial hierarchy" at the Pensacola Nylon Plant from 1969 to the present.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope sufficient to identify supervisory personnel that addressed PCBs at the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "diagrams or lists of the chain of command or managerial hierarchy that addressed PCBs at the Plant from 1969 until the present", Defendants have not located any "diagrams or lists of the chain of command or managerial hierarchy that addressed PCBs at the Pensacola Plant." However, Defendants refer Plaintiffs to the MONS000001 -- 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, which identify various individuals involved in addressing PCB issues at the Pensacola Nylon Plant.

22. All patents at any time held by, sought by, or licenses to, this Defendant pertaining to PCX containing products, PCX manufacturing, pollution control or pollution remediation.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning patents held by Old Monsanto and/or Swann Chemical Company as it concerns PCBs identified as the substance at issue in this litigation, if any.

23. Data, reports, or studies pertaining to the toxicity or health effects of PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to define any time period or relevant "health effects." Defendants further object to this request to the extent that it seeks publicly available information, since such information is equally available to the plaintiffs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation. Defendants will make available its MONS bates set.

24. Any warnings issued by this company concerning the toxicity or threat of the environment of PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request because it fails to define any time period and uses the ambiguous, undefined phrase "threat to the environment."

Subject to and without waiving these objections and the General Objections, see Defendants response to Request No. 18. Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation. Defendants will make available its MONS bates set.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continuing objections to ambiguous terms, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to the time frame "from 1960 until the present, Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning warnings issued concerning PCBs.

25. All logs, maps, analyses, and qualitative or quantitative water data, etc. derived therefrom for any wells at the Plant or wells in the vicinity of the Plant under Your control.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it is not limited to specifically identified chemicals at issue in the Complaint.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope of non-privileged documents concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continuing objections to ambiguous terms, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "wells at the Plant or wells in the vicinity of the Plant under your control concerning PCXs", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

26. All reports of discharges or releases into the environment at the Plant pursuant to any permit to do so including both air and water discharges as well as copies of the said permits.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it is not limited to the subject matter of PCBs identified in the Complaint or in time. Defendants further object to the extent that the permits and monitoring reports are in the public domain and equally accessible to the Plaintiffs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope of non-privileged documents concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continuing objections to ambiguous terms, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "reports of discharges or releases of PCXs ... at the Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

27. All internal memos, correspondence, notes, phone logs, or other documents, not previously provided, but pertaining to pollution, waste disposal, PCXs or litigation issues at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to define or limit in any way the overly broad, generic terms "pollution," "waste disposal," or "litigation issues." Defendants object to this request because it is not limited to the subject matter of PCBs identified in the Complaint or in time. Defendants object to this request on the grounds that it fails to describe the documents requested with sufficient particularity or specificity to allow any meaningful response to this request. Defendants further object to the extent this request seeks discovery of "litigation issues" protected by attorney-client and/or attorney work product.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, including continuing objections to ambiguous terms, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "PCX pollution or waste disposal at the Plant", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning PCB issues at the Pensacola Nylon Plant.

28. All documents pertaining to any criminal investigation, indictment, conviction, or judgment against this Defendant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to define any time period to which it relates and fails to define or limit in any way the subject matter of any "criminal investigation, indictment, conviction, or judgment" covered by this request.

Subject to and without waiving these objections and the General Objections, and without adopting plaintiffs' terms criminal "investigation, indictment, conviction, or judgment," while it was not a criminal matter, Defendants will produce the Notice of Violation and Consent Order referred to in Interrogatory No. 3.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March

23, 2010 further limiting this request to the Notice of Violation and Consent Order, see attached documents.

29. Any compilation of guidelines, standards, or methods You assert You complied with in the operation of the Plant to industry standards or to the state of the art.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request on the grounds that it is a premature contention request as discovery is ongoing and incomplete. Defendants further object to this request on the grounds that it does not define, specify or limit in any way the time period to which it relates or the particular processes, procedures, actions or operations at the Pensacola Nylon Plant relating to PCBs.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to "PCX", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

30. All documents exchanged between You and any and all governmental agencies or authorities referring or relating to the storage, transportation, use, disposal or accidental or intentional discharge or spill of PCX containing products at the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to identify "all governmental agencies or authorities" with any specificity. Defendants also object to this request as unlimited in time.

Subject to and without waiving these objections and the General Objections, with respect to PCBs, please see Declaration of Amy Dyer, Paragraphs 16 – 19, filed herein on October 8, 2008, concerning the accidental leak from PCB-containing equipment at the Pensacola Nylon Plant, the Federal Bureau of Commercial Fisheries' notification of the Plant about the leak in approximately August 1969, and the prompt cessation of the leak thereafter. Old Monsanto later entered into a Consent Order with the Florida Department of Air and Water Pollution, to build a dam restricting the outfall from reaching the Escambia River and Bay, and to build a new outfall to bypass any potentially impacted soil. The new outfall (which remains in operation) is maintained and operated in compliance

with all applicable Federal and/or State regulations, specifically the National Pollutant Discharge Elimination System ("NPDES"). See Dyer Declaration, referenced above. Defendants will identify and produce documents sufficient to show their notification about the accidental leak, the cessation of the leak, and the subsequent Consent Order building a dam restricting the outfall.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to the United States Environmental protection Agency, Florida Department of Environmental Regulation, Florida Department of Environmental Protection, Florida Department of Air and Water Pollution, or the Bureau of Commercial Fisheries that refer or relate to the storage, transportation, use, disposal or accidental or intentional discharge or spill of PCB containing products at the Plant from 1960", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

31. All documents exchanged between You and any and all third parties, excluding governmental agencies or authorities, referring or relating to the storage, transportation, use, disposal or accidental or intentional discharge or spill of PCX containing products at the Plant or into the Escambia River or any of its tributaries or Escambia Bay.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request because it fails to identify "third parties" with any specificity. Defendants also object to this request as unlimited in time. Defendants further object to the extent that this request seeks discovery of documents protected by attorney client privilege, attorney work product doctrine or other applicable privileges.

Subject to and without waiving these objections and the General Objections, , with respect to PCBs, please see Declaration of Amy Dyer, Paragraphs 16 – 19, filed herein on October 8, 2008, concerning the accidental leak from PCB-containing equipment at the Pensacola Nylon Plant, the Federal Bureau of Commercial Fisheries' notification of the Plant about the leak in approximately August 1969, and the prompt cessation of the leak thereafter. Old Monsanto later entered into a Consent Order with the Florida Department of Air and Water Pollution, to build a dam restricting the outfall from reaching the Escambia River and Bay, and to build a new outfall to bypass any potentially impacted soil. The new outfall (which remains in operation) is maintained and operated in compliance with all applicable Federal and/or State regulations, specifically the National Pollutant Discharge Elimination System ("NPDES"). See Dyer Declaration, referenced above. Defendants will identify and produce documents sufficient to show their notification about

the accidental leak, the cessation of the leak, and the subsequent Consent Order building a dam restricting the outfall.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request to PCB-containing substances but not identifying "third parties" with any specificity, Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

32. All documents that display, list or represent, in whole or in part, the corporate organization of Monsanto Company, Pharmacia Corporation, Solutia, Inc.; and all subsidiaries and their various operating entities, groups, teams, divisions, departments, units or subdivisions, and that of their predecessors, if any, during the Subject Time Period.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object that request does not identify the sought after documents with sufficient particularity and seeks discovery of subsidiaries and their various operating entities, groups, teams, divisions, departments, units or subdivisions, and that of their predecessors, if any, wholly-unrelated to the Pensacola Nylon Plant and PCBs.

Subject to and without waiving these objections and the General Objections, see Corporate Defendants' Corporate History set forth above and the response to Interrogatory No. 14.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the Pensacola Nylon Plant, see documents produced in response to Request 16.

33. All documents that describe, list or represent, in whole or in part, the relationship between Monsanto Company, Pharmacia Corporation, Solutia, Inc. and all their subsidiaries and their various operating entities, groups, teams, divisions, departments, units or subdivisions, and

that of their predecessors, if any, including that part of the relationship referring or relating to the administration or operation of the Plant during the Subject Time Period.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object that request does not identify the sought after documents with sufficient particularity and seeks discovery of subsidiaries and their various operating entities, groups, teams, divisions, departments, units or subdivisions, and that of their predecessors, if any, wholly-unrelated to the Pensacola Nylon Plant and PCBs.

Subject to and without waiving these objections and the General Objections, the land on which the Pensacola Nylon Plant is located was purchased in 1951 by Chemstrand Corporation, which was half-owned by Old Monsanto. In 1961, Old Monsanto acquired the Pensacola Nylon Plant, which became known as the Chemstrand Division of Old Monsanto. In 1966, it was renamed the Textiles Division of Old Monsanto. For further corporate history, please see "Corporate Defendants' Corporate History" set forth above and the response to Interrogatory No. 14.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the Pensacola Nylon Plant and PCB-containing products, see documents produced in response to Request 16. In addition, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

34. All documents that evidence, refer or relate to the nature and extent of involvement of Monsanto Company, Pharmacia Corporation, Solutia, Inc. and all of said entities' parents, subsidiaries, predecessors, successors, corporate affiliates and divisions with storage, transportation, use, disposal or accidental or intentional discharge or spill of PCX containing products at the Plant or into the Escambia River or any of its tributaries or Escambia Bay.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object that request does not identify the sought after documents with sufficient particularity. Defendants further object to the phrase "nature and extent of involvement" as vague and ambiguous.

Subject to and without waiving these objections and the General Objections, see responses to Request No. 33 and Interrogatory No. 3. Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCB-containing substances at the Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

35. Documents sufficient to evidence Your policies, practices, procedures and guidelines concerning communications, reporting, supervision, and/or "chain of command" referring or relating to the following:

- a. Efforts to comply with each statute, regulation, code or standard identified in Your response to Interrogatory Number 31;
- b. Monitoring or testing as to the medical, physical, or intellectual status of Plant employees or contractors;
- c. Monitoring or testing as to the occurrence or existence of any spills, leaks or releases of substances from the Plant;
- d. Disposal of PCX containing substances or waste-water from the floors of Your manufacturing facilities after said substances spilled or leaked from machines, equipment or other means;
- e. Remediation of any and all known or suspected spills, leaks, or releases of substances from the Plant; and
- f. Handling or responding to formal or informal complaints received concerning environmental, hazardous, or toxic nuisances or wastes emanating from the Plant.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to this request as not limited to PCBs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCXs", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning PCBs identified as the substance at issue in this litigation.

36. Documents sufficient to evidence Your policies, practices, procedures, manuals, forms, and technology during the Subject Time Period concerning the retention of documents, e-mails, computer files and records, electronic communications and all forms of electronically stored documents or information.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in

1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCB-containing products at the Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

37. Documents sufficient to evidence Your policies, practices, procedures, manuals, forms, and technology since 1950 concerning the retention of documents, records, microfiche or other similar non-electronic media.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCX-containing products at the

Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

38. Documents sufficient to evidence Your policies, practices, procedures, manuals, forms, and technology during the Subject Time Period concerning the deletion, purging, destruction or erasure or archiving of e-mails, computer files and records, electronic communications and all forms of electronically stored documents or information.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCX-containing products at the Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

39. Documents sufficient to evidence Your policies, practices, procedures, manuals, forms and technology during the Subject Time Period for storing, backing up, archiving, disaster recovery, and otherwise preserving e-mails, computer files and records, electronic communications and all forms of electronically stored documents or information.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCB-containing products at the Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

40. Documents sufficient to evidence the configuration, topography, and/or organizational access for each and every e-mail system, document management system, database or other electronically-stored information repository used by You during the Subject Time Period.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

41. Documents sufficient to evidence any and all asset tracking inventories for the Subject Time Period that refer or relate in any way to computer hardware, including without limitation all servers, personal computers, laptop computers, PDAs, BlackBerrys or similar

devices, and offline storage media such as compact discs, thumb drives, hard drives, floppy discs, diskettes, or storage tapes.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "Pensacola Nylon Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

42. All access control lists identifying all users (e.g., all individuals, departments, entities or organizations, whether internal or external to Your corporate or organizational structure) for each and every e-mail system, document management system, instant messaging system, electronic database or other electronic information system identified by You in Your responses to requests for production of documents contemporaneously served herewith.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant. Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant and the cessation and correction thereof.

43. Documents sufficient to evidence Your policies, practices, procedures, manuals, forms, and technology during the Subject Time Period concerning the maintenance, retention and/or distribution of each class or category of documents sought in these Requests, as well as any Requests filed subsequent hereto.

Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition particularly since PCBs have not been manufactured by Old Monsanto since 1977. Defendants further object that request is not tailored to the types of documents sought in the document request or to PCBs or the Pensacola Nylon Plant.

Defendants object to this request to the extent that it seeks information which is protected from disclosure by the attorney-client privilege and/or work product doctrine or any other applicable privilege or immunity. Defendants further object to this request insofar as it seeks proprietary, confidential business or trade secrets information.

Subject to and without waiving these objections and the General Objections, Plaintiffs' counsel herein, Donald Stewart, in connection with Alabama litigation, has already reviewed Defendants' preserved PCB document collections and selected the documents he deems relevant. As Plaintiffs' counsel is aware, many years ago, historical documents in the possession of Old Monsanto relating to the manufacture, sale and use of PCBs were collected and maintained under the control of Old Monsanto's Law Department, including certain documents concerning the temporary accidental leak in 1969 of PCB-containing hydraulic fluid from the Pensacola Nylon Plant. Documents sufficient to show the circumstances surrounding this historical 1969 accidental leak from the Pensacola Nylon Plant, and the cessation and correction thereof will be produced.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCB-containing substances located, used, transported, spilled or released at the Pensacola Plant", Defendants refer Plaintiffs to the MONS000001 - 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning PCBs at the Pensacola Nylon Plant.

44. All documents that evidence, refer or relate to the spill or discharge of PCXs from the Plant between 1968 and the present, including all records, reports, analyses, internal memoranda, and correspondence with state and federal regulatory authorities concerning the same.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation. See response to Interrogatory No. 3.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March

23, 2010 further limiting this request as it relates to the "spills or discharges ... PCB-containing substances from the Pensacola Plant from 1968 until the present", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs concerning spills or discharges of PCBs at the Pensacola Nylon Plant.

45. All documents that evidence, refer or relate to the spill or discharge of PCXs from any other facility (other than the Plant) owned or controlled by You or your predecessor entities, including all records, reports, analyses, internal memoranda, and correspondence with state and federal regulatory authorities concerning the same.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request where it is not limited to the Pensacola Nylon Plant.

46. Documents that evidence, refer or relate to the origins of PCXs stored in Holding Ponds 327A, 327B and 327C and where said PCXs have been stored by the Plant from the date of receipt or manufacture until the present.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "PCB-containing substances that were placed in holding Ponds 327A, 327B and 327C", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

47. All documents that evidence, refer or relate to flow of PCXs into Pond 327B and the clean-up or remediation of the same, including all records, reports, analyses, internal memoranda, and correspondence with state and federal regulatory authorities concerning the same.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "PCB-containing material" and Pond 327B, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

48. All documents that evidence, refer or relate to the disposal or redirection of process water from Pond 327B, including all records, reports, analyses, internal memoranda, and correspondence with state and federal regulatory authorities concerning the same.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as a grossly overbroad fishing expedition.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "PCBs" and Pond 327B, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

49. All reports, tests, analyses, and reviews of outflow waters originating from the Plant during the Subject Time Period that refer or relate to the detection of PCXs or other hazardous substances in storm or wastewater runoff collected in ponds before being discharged into the Escambia River.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as not limited to PCBs. Defendants object to this request as a grossly overbroad fishing expedition.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "PCB-containing substances", Defendants refer Plaintiffs to the MONS000001 -- 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

50. All reports, tests, analyses, and reviews of outflow waters originating from the Plant during the Subject Time Period that refer or relate to the detection of PCXs or other hazardous substances in storm water, waste water, or cooling water runoff discharged into the Escambia River.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to

lead to the discovery admissible evidence. Defendants object to this request as not limited to PCBs. Defendants object to this request as a grossly overbroad fishing expedition.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning non-privileged documents involving PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to the "PCBs or PCB-containing substances", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

51. All schematics, blue prints, diagrams or similar documents that show the drainage or discharge systems at the Plant during the Subject Time Period which refer or relate to storm water, waste water, or cooling water runoff.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants object to this request as not limited to PCBs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

52. Documents sufficient to evidence Your policies, practices, procedures and guidelines concerning disposal of PCXs and PCX waste.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to

lead to the discovery admissible evidence. Defendants object to this request as unlimited in time or to the Pensacola Nylon Plant.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "disposal of PCBs and PCB-containing wastes at the Pensacola Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection, and to the DSW and URS document collections that have been made available to plaintiffs.

53. All documents, correspondence, corrective action plans, reports, tests, analyses, reviews or photographs concerning or referring to the two soil samples collected from the area of a Solid Waste Management Unit in November 1998 that tested positive for PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to the request as not identifying the specific samples or the Solid Waste Management Unit in question.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to non-privileged documents sufficient to show investigation and/or remediation of PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the URS document collection that have been made available to plaintiffs.

54. All documents, correspondence, reports, tests, analyses, reviews or photographs concerning or referring to the remediation of the area where two soil samples tested positive for PCXs in November 1998.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly

broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to the request as not identifying the specific samples or the Solid Waste Management Unit in question.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to non-privileged documents sufficient to show investigation and/or remediation of PCBs identified as the substance at issue in this litigation.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, Defendants refer Plaintiffs to the URS document collection that have been made available to plaintiffs.

55. All documents, correspondence, reports, tests, analyses, reviews, maps or photographs concerning or referring to the EPA's inspection of the Plant in February 2001.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to the request as not limited to PCBs.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation and the Pensacola Nylon Plant.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "PCXs", Defendants refer Plaintiffs to the URS document collection that have been made available to plaintiffs.

56. All documents, correspondence, reports, tests, analyses, reviews, maps or photographs that originated from, or purport to originate from, or which were sent to, or purport to have been sent to Federal Bureau of Commercial Fisheries.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence. Defendants further object to the request as not

limited to the Pensacola Nylon Plant or to PCBs – the only chemical specifically identified in the Complaint.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCBs identified as the substance at issue in this litigation and the Pensacola Nylon Plant. See response to Interrogatory No. 3.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "Pensacola Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection and to the DSW and URS document collections that have been made available to plaintiffs.

57. All documents, correspondence, reports, tests, analyses, reviews, maps or photographs that concern or relate to the decommissioning of the equipment that used or contained PCXs.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence.

Subject to and without waiving these objections and the General Objections, Defendants will work with Plaintiffs' counsel to narrow this request and any agreed responses thereto to a reasonable scope concerning PCB containing electrical equipment and the decommissioning thereof.

SUPPLEMENTAL RESPONSE: Subject to and without waiving any prior objections and the General Objections, and as set forth in Donald Stewart's letter of March 23, 2010 further limiting this request as it relates to "Pensacola Plant", Defendants refer Plaintiffs to the MONS000001 – 100120 document collection and to the DSW and URS document collections that have been made available to plaintiffs.

58. All documents that relate to the purchase agreement between Solutia and Ascend Performance Materials.

RESPONSE: Defendants incorporate their General Objections and Limitations set forth below. Defendants further object to this request on the grounds that it is overly broad, unduly burdensome, seeks irrelevant information and not reasonably calculated to lead to the discovery admissible evidence.

Subject to and without waiving these objections and the General Objections, see Defendants' response to Interrogatory No. 37.

GENERAL OBJECTIONS AND LIMITATIONS APPLICABLE TO ALL REQUESTS AND RESPONSES:

A. Defendants object to Plaintiffs' First Requests for Production of Documents to the extent they seek information or documents protected from discovery by any privilege, including the attorney-client privilege, the attorney work-product doctrine or any other applicable privilege or immunity or information or information or documents that Defendants are prohibited by law, contract, or Court Order from disclosing.

B. Defendants object to Plaintiffs' First Requests for Production of Documents to the extent they seek information or documents that invade the rights of non-parties to the litigation, including the rights of the current Pensacola Nylon owner and the privileges and rights of privacy applicable to current or former employees' medical histories, personnel records, and health histories.

C. Defendants object to Plaintiffs' First Requests for Production of Documents to the extent they seek confidential, proprietary or sensitive business or personal information, without the benefit of an appropriate Protective Order. Defendants long ago submitted a proposed Protective Order to Plaintiffs, however, Plaintiffs have not agreed to such an Order.

D. Defendants object to Plaintiffs' First Requests for Production of Documents because some of them are virtually unlimited in time and scope and, as phrased, appear to seek information and documents about events occurring more than seventy years ago. Any responses provided by the Defendants herein will be based upon such information as is reasonably available to the Defendants and susceptible to retrieval through reasonable efforts.

E. Defendants object to Plaintiffs' First Requests for Production of Documents to the extent they seek information or documents other than as kept by Old Monsanto in the ordinary

course of its former business with respect to the manufacture and sale of polychlorinated biphenyls.

F. Defendants object to Plaintiffs' First Requests for Production of Documents because they are overly broad, vague and burdensome and, because of the overbreadth, the requests seek information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The Defendants' further object to Plaintiffs' First Requests for Production of Documents to the extent they request the Defendants to identify "all information" or similar "catch-all" requests for information that are impermissible fishing expeditions which do not specify the information and documents requested with the reasonable particularity required by the Florida Rules of Civil Procedure. The information and documents provided by the Defendants will be limited to the information and documents specifically described in the Defendants' narrative written responses herein.

G. Defendants object to Plaintiffs' First Requests for Production of Documents to the extent they seek information about PCBs other than PCBs used at the Pensacola Nylon Plant.

H. By producing certain documents or providing certain information herein, including information about PCBs or litigation in other states or locations and documents pertaining to products formulated with PCBs other than products used at the Pensacola Nylon Plant, Defendants are not conceding the relevance or admissibility of any such documents or information, but instead fully reserve their rights to object to the admissibility at any time before or during the trial of this matter.

I. By agreeing to produce non-privileged documents meeting a certain description, the Defendants are not hereby representing that any such documents presently exist in the Defendants' possession or ever existed.

J. Defendants object to the overbroad nature of Plaintiffs' Definitions and Instructions and to the extent they purport to impose obligations on the Defendants inconsistent with, or greater or different than, those required by the Florida Rules of Civil Procedure and the local rules of Court.

K. Defendants object to any and all Requests for Production of Documents to the extent that they prematurely seek expert discovery and to the extent they seek expert discovery other than as provided for under the provisions of the Florida Rules of Civil Procedure and any applicable scheduling order or pretrial order.

L. Defendants object to any and all Requests for Production of Documents to the extent that they do not refer or relate to polychlorinated biphenyls (PCBs), the only substances referred to in the complaint with any specificity, on the grounds that such Requests for Production of Documents are overbroad and burdensome fishing expeditions and seek information which is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

M. Defendants object to any and all Requests for Production of Documents to the extent that they seek information or the identification of documents, writings, records or publications in the public domain since such information is equally available to Plaintiffs.

N. Defendants object to the term "PCXs" used by the Plaintiffs to refer collectively to three separate and distinct groups of chemical compounds. Polychlorinated biphenyls (PCBs), polychlorinated dibenzofurans (PCDFs), polychlorinated dibenzo-p-dioxins (PCDDs) are different groups of compounds which can be differentiated by their chemistry and toxicology as groups, and more specifically by the different chemistry and toxicology of the various congeners of the groups.

O. Defendants object to any and all Requests for Production of Documents to the extent that they call for speculation, are vague and ambiguous, and are, therefore, incapable of meaningful response, including but not limited to Requests for Production of Documents that use ambiguous and undefined geographic terms such as terms "surrounding neighborhoods," "or in the areas surrounding these waters" and "in the vicinity of the plant" or undefined terms such as "litigation issues."

P. Defendants object to any and all Requests for Production of Documents to the extent that they call for speculation, are vague and ambiguous, and are, therefore, incapable of meaningful response as stated, including, but not limited to, Requests for Production of Documents that use ambiguous and undefined terms and phrases such as "pollution releases, noxious odors, chemical spills", "pollution," "hazardous or toxic wastes or waste disposal," "toxic substances," and "hazardous waste", and including Requests for Production of Documents that fail to limit their subject matter to polychlorinated biphenyls (PCBs), the only chemicals identified with specificity in the complaint.

Q. Defendants object to the Requests for Production of Documents that seek information relating to other litigation to which Defendants have been or are a party. Such discovery is inappropriate and beyond the scope of permissible discovery under the Florida Rules of Civil Procedure. The information sought by such Requests for Production of Documents is not "reasonably calculated to lead to the discovery of admissible evidence" as it relates to this lawsuit brought by residents of Pensacola Nylon County, Florida.

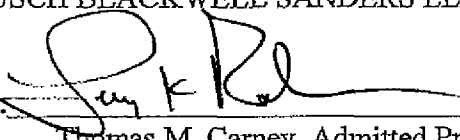
R. Defendants object to any and all Requests for Production of Documents to the extent that they seek information submitted to public officials and elected representatives or that relate to discussions with such officials and representatives on the grounds that such

communications are privileged and protected by the First Amendment of the United States Constitution. Any information provided in response to Plaintiffs' discovery shall not operate as any waiver of Defendants' rights and privileges under the First Amendment of the United States Constitution, including its rights to petition the government.

S. In providing responses to Plaintiffs' discovery requests, Defendants have undertaken a reasonable effort to locate records and to provide information. However these Requests for Production of Documents seek information and documents about events occurring as long as sixty years ago. Documents and persons with relevant knowledge are quite often no longer available after the passage of so many years, and other persons who may have had relevant knowledge or information at one time may now have little or no specific recall of such knowledge or information. Defendants' investigation is continuing, and the following responses are based upon such information as is reasonably available to Defendants and susceptible to retrieval through reasonable efforts. Defendants reserve the right to supplement any or all of these responses.

T. These "General Objections" are applicable to and incorporated in each of Defendants' responses, *infra*, as if specifically set forth therein. The stating of specific objections to a particular Requests for Production of Documents shall not be construed as a waiver of Defendants' "General Objections" nor does the restatement of or specific reference to a "General Objection" in the response to a particular Requests for Production of Documents waive any other "General Objection." Additionally, unless otherwise specifically stated, Defendants' objections to each Request for Production of Documents apply to the entire Request, including each and every subparagraph of the Request. Defendants reserve the right to supplement these responses and to make further objections.

HUSCH BLACKWELL SANDERS LLP

By: 

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Attorneys for the Defendants

CERTIFICATE OF SERVICE

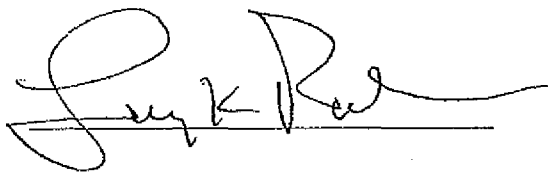
The undersigned hereby certifies that a true and correct copy of the foregoing document was sent via U.S. Mail, postage prepaid, this 6th day of April, 2010, to the following counsel of record:

Samuel W. Bearman, Esq.
Samuel W. Bearman, P.A.
802 N. 12th Avenue
Pensacola, FL 32501

Tara Robinson, Esq.
Donald W. Stewart, P.C.
1826 Third Avenue North, Suite 301
Bessemer, AL 35020

Donald W. Stewart, Esq.
W. Taylor Stewart, Esq.
Donald W. Stewart, P.C.
500 Wachovia Bank Building
1000 Quintard Avenue
Anniston, AL 36202

Dagney Walker, Esq.
Donald W. Stewart, P.C.
2100 3rd Avenue North, Suite 810
Birmingham, AL 35203

A handwritten signature in black ink, appearing to read "Jay K. Red", is written over a horizontal line.

May 15, 2008

***Privileged & Confidential Information
Pursuant To FRE 408***

Via E-mail

Lawrence P. Biondi, Esq.
Law Offices of Lawrence Perry Biondi
81 Main Street, Suite 504
White Plains, New York 10601

Re: *Abbatiello, et al. v. Monsanto Company, et al.*
Abele, et al. v. Monsanto Company, et al.
Corlew et al. v. General Electric Company et al.

Dear Larry:

The following is the basis for the Pharmacia Defendants' Initial Disclosure response about insurance coverage.

A. Insurance – Old Monsanto policies

Due to prior payments exhausting policy limits, settlements of coverage issues, bankruptcies and/or insolvencies of various carriers, and policy exclusions, the only theoretically remaining insurance coverage for product liability claims rests primarily with certain London Market Companies, who have only a modest percentage of the historical coverage, particularly in light of the many decades of alleged PCB use and exposure at G.E. Schenectady alleged in your complaints.

The London Market Companies have denied the existence of any coverage for Abbatiello, Abele, or Corlew on grounds that those cases involve claims for bodily injury and property damage from exposure to environmental contamination that have been settled and released.

New Monsanto directs and controls its own defense of these cases and makes settlement decisions without regard to insurance. The insurance companies do not participate in settlement discussions, because they do not control the defense or have authority to settle, nor would they respond directly to pay any judgment, even assuming that they agreed there was coverage and were financially able to do so. Instead, to the extent there were a judgment, and New Monsanto paid it, it in turn could request reimbursement from and then, if it deemed it appropriate under all the facts and circumstances, litigate with the insurers when the reimbursement request is denied in accordance with the coverage denials mentioned above.

B. Insurance - General Electric

The Pharmacia Defendants have no information that suggests that Old Monsanto might be a named insured on any policy of insurance issued to General Electric that would provide indemnity for these lawsuits.

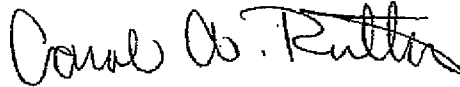
C. Indemnity Agreement

In relation to these lawsuits, General Electric Company has not agreed to defend and indemnify the Pharmacia Defendants pursuant to the Special Undertaking by Purchasers of Polychlorinated Biphenyls, dated January 21, 1972, that is referenced in the response to Plaintiffs' Request to Produce No. 75.

I trust that this is responsive to your letter of January 29, 2008.

Thank you.

Very truly yours,



Carol A. Rutter

CAR/tg
cc: James Leader, Esq.

BEFORE THE FLORIDA DEPARTMENT OF AIR AND WATER POLLUTION CONTROL

In the Matter of:

MONSANTO COMPANY

Escambia County, Florida

Respondent

CASE NO. 74-392-71

NOTICE NO. 147

ORDER NO. 200

NOTICE OF VIOLATION

TO: Mr. Walter F. Oline, and The Corporation Company
Plant Manager Resident Agent
Monsanto Company 13th Floor, Florida Title Bldg.
P. O. Box 1507 110 West Forsyth
Pensacola, Florida 32502 Jacksonville, Florida 32202

Pursuant to Florida Statute 403.121 (1), the Department of Air and Water Pollution Control does hereby place the Respondent, Monsanto Company, on Notice of the following:

Upon complaint, report, and investigation, this department has reason to believe that Respondent does maintain or operate a manufacturing plant that produces nylon which is located adjacent to the Escambia River approximately 2.5 miles north of Highway 90 in Escambia County, Florida; and such constitutes a source of water pollution in that wastes, discharges, or effluents containing polychlorinated biphenyls are discharged by and through two ditches, designated as the Main Ditch and the North Ditch, into and polluting the waters of the state, to wit, Escambia River and Escambia Bay; and such water pollution is in violation of Department rules and regulations. Specifically:

Allegation: Violation of Department Rules 17-3.02 (4) and 17-3.09 (5) Florida Administrative Code

Specification: In that continually from at least April, 1969, Respondent has discharged into the waters of the state toxic substances, to wit, polychlorinated biphenyls in concentrations or quantities which are toxic and harmful to animal, plant, or aquatic life. Specifically:

On October 27, 1970 polychlorinated biphenyls were detected in the waters flowing from respondent's installations in concentrations of 2.6 ppb.

JAN 27 1971

ADMINISTRATOR

CASE NO. 1W-392-72

NOTICE NO. 247

ORDER NO. 250

PAGE NO. 2

Such concentrations of polychlorinated biphenyls have a persistent chronic toxic effect on fish, fish food, and other aquatic or marine life in that the polychlorinated biphenyls are readily absorbed and concentrated in the tissues of said organisms, where the concentrations continue to increase to toxic and deleterious levels; and,

That residue levels of polychlorinated biphenyls in the flesh of fish taken from the Escombia Bay and Bayou Texar have exceeded the Federal Pure Food and Drug Administration "action level" of 5.0 ppm.

Further, residues of Polychlorinated biphenyls of up to sixty-four (64) ppm have been detected in the canals, channels, and outfall structures of Respondent's installations; and residues resulting from Respondent's discharges have been detected in the Escombia River bottom, e.g., on August 7, 1969 sediment samples from the Escombia River at Highway 90 contained 1.9 ppm of the polychlorinated biphenyls Aroclor 1254 and on October 28, 1970, sediment samples from the Escombia River below Monsanto's Skinner Outfall contained from .48 to 23 ppm of said Aroclor; and further such residues of polychlorinated biphenyls continually release low concentrations of the polychlorinated biphenyls which over an extended period of time are toxic and deleterious to fish, fish food, aquatic life and marine life. Therefore, it is;

ORDERED by the Department of Air and Water Pollution Control

that:

ORDERS FOR CORRECTIVE ACTION

1. Respondent shall cease and prevent the discharge from its installations any effluent containing polychlorinated biphenyls and to this end, Respondent shall, within thirty (30) days from effective date hereof, submit to the Department a work plan and a schedule of specific corrective action it will take to eliminate and prevent effluent containing polychlorinated biphenyls from entering waters of the state. Such corrective action shall include, but not

CASE NO. TM-392-71

NOTION NO. 147

ORDER NO. 200

PAGE NO. 3

be limited to the removal from Respondent's outfall structure, ditches, etc., all sediments and residues containing polychlorinated biphenyls. The necessary corrective action shall be planned and scheduled to be completed as expeditiously as possible.

2. Respondent shall immediately commence the necessary corrective action upon notification of approval of said plan.

3. Until submission and approval of said plan and up to completion of the corrective action, Respondent shall take emergency measures to reduce and prevent the unnecessary discharges of waters containing polychlorinated biphenyls.

Failure to comply with a Department Order will result in legal action pursuant to Florida Statute 403.161, which provides a civil penalty of \$5,000 per day for each day that the violation of a Department Order occurs.

Respondent shall have fifteen (15) days from date of receipt hereof within which to request a public hearing on any of the matters contained herein. The above Orders shall be effective upon expiration of the fifteen day period if no request for a public hearing is filed.

DONE and ORDERED this 26th day of January, 1971,
at Tallahassee, Florida.

FOR THE DEPARTMENT OF AIR AND WATER
POLLUTION CONTROL

Vincent D. Patton
VINCENT D. PATTON, Executive Director
Suite 300 - Tallahassee Bank Building
315 South Calhoun Street
Tallahassee, Florida 32301

BEFORE THE FLORIDA DEPARTMENT OF AIR AND WATER POLLUTION CONTROL

In the Matter of:

MONSANTO COMPANY

Escambia County, Florida

Respondent

CASE NO. IM-192-71

ORDER NO. 215

CONSENT ORDER

On January 27, 1971, Respondent was served with a Notice of Violation in the above-captioned matter, stating that the Department of Air and Water Pollution Control had reason to believe that Respondent was violating Department rules and regulations by discharging through its installation polychlorinated biphenyls into the waters of the State, to wit, Escambia River and Escambia Bay.

The parties, waiving their rights to a public hearing, hereby agree and enter into this Consent Order which binds the parties as fully as if issued by the Department of Air and Water Pollution Control Board subsequent to a public hearing.

An entry into this Consent Order between Respondent and the Department does not constitute an admission by Respondent or finding by the Department as to the validity of any statements and/or allegations contained in said Notice of Violation. This Consent Order supersedes and supplants Orders for Corrective Action Number 200.

In consideration of the above, the Department of Air and Water Pollution Control Orders that:

1. Respondent shall diligently and as expeditiously as possible implement the proposed interim solution as outlined by Respondent and accepted by the Department, to wit: the construction of a dam behind the present weir, provided that Respondent shall receive prior consent of adjoining landowners before diverting waters from the main out-flow ditch onto the property of such adjoining landowners. Respondent shall have the interim solution completed within seven days after receiving consent of adjoining landowners.

2. Respondent shall forthwith apply for all necessary state and federal approval and permits for the proposed permanent solution.

CASE NO. 1W-392-71

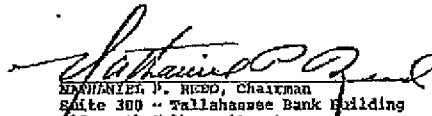
ORDER NO. 215

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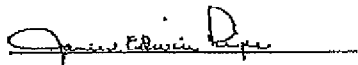
3. Upon approval by the appropriate state and federal agencies and issuance of all necessary permits, the Respondent shall commence the corrective action. The corrective action shall be completed within forty-five (45) days after all necessary permits have been issued.

DONE and EXECUTED this 11 day of February, 1971,
at Tallahassee, Florida.

FOR THE DEPARTMENT OF AIR AND WATER
POLLUTION CONTROL BOARD:


NATHANIEL P. REED, Chairman
Suite 300 - Tallahassee Bank Building
415 South Calhoun Street
Tallahassee, Florida 32301

FOR THE RESPONDENT:


James Edwin Lips, General Superintendent
Manufacturing Technology
Monsanto Company
Pensacola, Florida

J. Maso
JMASO