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March 26, 2002

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Re: Jack W. Leach, et al. v. E.I. duPont de Nemours and Company et al.  
(Circuit Court of Wood Cty, WV, Civil Action No. 01-C-608)

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Ladies and Gentlemen:

As indicated in prior communications, our law firm, and the law firms of Hill, Peterson, Carper, Bee & Deitzler, PLLC and Winter Johnson & Hill PLLC of Charleston, West Virginia, are representing the Plaintiffs in a lawsuit currently pending against E.I. duPont de Nemours and Company ("DuPont") and the Lubeck Public Service District ("LPSD") in State Court in West Virginia in which claims have been asserted against DuPont and the LPSD in connection with contamination of human drinking water supplies with ammonium perfluorooctanoate ("C-8") originating from DuPont's Washington Works facility in Wood County, West Virginia. On Friday, March 22,2002, Judge Hill of the Wood County Circuit Court agreed to certify Plaintiffs' claims to proceed as a class action against DuPont and the LPSD on behalf of all persons whose drinking water is or **has** been contaminated with **C-8** attributable to releases from DuPont's Washington Works facility. (This class currently includes thousands of Ohio and West Virginia residents.) Our law firms will, therefore, be pursuing the Plaintiffs' claims on behalf of all members of that class of individuals.

As indicated in our prior letters of November 1,2001, and March 8,2002, we are concerned that your agencies may not be receiving all of the information they need in order to perform the tasks required of the "C-8 Assessment of Toxicity Team" ("CAT Team") under the November 14,2001, Consent Order entered into between the State of West Virginia and DuPont. Our law firm has been receiving and reviewing a substantial amount of internal correspondence and internal, unpublished reports from DuPont and 3M concerning C-8 since the summer of 2000, when our law firm began receiving C-8 documents from DuPont in connection with discovery related to claims that C-8 being discharged from DuPont's Dry Run Landfill in Wood County, West Virginia, was killing hundreds of head of cattle who were drinking from the **Dry** Run Creek. **As** of today's date, we have received and reviewed approximately 185,000 pages of documents from DuPont and 3M relating to the toxicity and effects of **C-8**. We also have retained consultants to review the available C-8 data. **As** indicated in our prior correspondence, our consultants' assessment of the available C-8 toxicology data differs substantially from the information that the CAT Team apparently has been provided to date by DuPont, as memorialized in the analysis set forth in the January 2002, report **from** Environ that was prepared for DuPont. **As** indicated in our prior correspondence, we believe that the available C-8 data does not **justify** or support **the** analysis advocated by DuPont through the Environ report. Because the United States EPA, nevertheless, agreed to use the 14 ppb standard advocated in that Environ report in its recent Consent Order with DuPont, we are concerned that your agencies may not be receiving all of the available C-8 data.

Based upon the foregoing, we hereby request the opportunity to appoint a representative to sit as a member of the CAT Team on behalf of the entire class that we now represent (all persons whose drinking water is or has been contaminated with C-8 attributable to releases from DuPont's Washington Works), to ensure that this very large group of citizens has a voice in the CAT process, and to ensure that the other members of the CAT Team are provided access to all

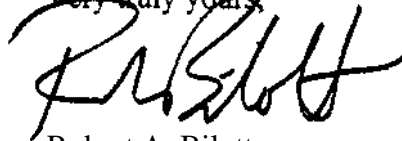
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of the available **C-8** data that your agencies may not otherwise receive from DuPont. Given statements recently made in the local Parkersburg media that the CAT Team may be on track to complete its C-8 toxicity analysis by as early **as** the end **of** April, **2002**, we request confirmation as soon as possible as to whether our clients can designate a representative to serve as a member of the CAT Team. *Thank you.*

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Bilott', written in a cursive style.

Robert A. Bilott

RAB/mdm

cc: R. Edison Hill, Esq.  
Larry A. Winter, Esq.  
Gerald J. Rapien, Esq.

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