IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY, Plaintiff, v. NOVA CHEMICALS CORPORATION (CANADA), and NOVA CHEMICALS INC. (DELAWARE), Defendants.	)	C.A. No. 05-737 (JJF) **JURY TRIAL DEMANDED**

NOTICE OF DEPOSITION OF DOW CHEMICAL COMPANY
PURSUANT TO FED. R. CIV. P. 30(b)(6)

PLEASE TAKE NOTICE THAT, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendants NOVA Chemicals Corporation, and NOVA Chemicals, Inc., will take the deposition of Plaintiff The Dow Chemical Company ("Dow") by oral examination using videotape, audiotape, and/or stenographic means. The deposition will begin at 9 AM on August 21, 2008, at the offices of JENNER & BLOCK LLP, 330 N. Wabash Ave., Chicago, Ill. 60611, or such other location as the parties may mutually agree, and will continue from day to day until completed. The deposition will be taken before a Notary Public or other officer authorized by law to administer oaths. You are invited to attend and examine the witness.

Pursuant to Fed. R. Civ. P. 30(b)(6), Dow is directed to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf regarding each topic in Exhibit A, attached hereto. The persons so designated shall testify as to the matters known or reasonably available to Dow, as defined in Exhibit A.

At least five (5) business days prior to the noticed date, Dow shall designate in writing each person who will testify on its behalf and the subject matters identified in Exhibit A as to

which each designee shall testify. Dow shall also produce to Defendant, or identify if already produced, at least five (5) business days prior to the noticed date any documents relied on or reviewed by the designee(s) for the purposes of becoming knowledgeable about the topic(s) on which the designee(s) may testify.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Ford F. Farabow, Jr.
Ronald A. Bleeker
Joann M. Neth
Mark J. Feldstein
Jeffrey W. Abraham
Troy A. Petersen
Martin I. Fuchs
Ken Motolenich-Salas
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, DC 20001-4413
Tel: (202) 408-4000

H. Woodruff Turner
Thomas A. Donovan
Robert D. Yeager
Brian P. Anderson
KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP
535 Smithfield Street
Pittsburgh, PA 15222
Tel: (412) 355-6478

By: */s/ David E. Moore*
Richard L. Horwitz (#2246)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19801
Tel: (302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

Attorneys for Defendants
NOVA Chemicals Corporation (Canada), and
NOVA Chemicals Inc. (Delaware)

Dated: August 8, 2008
877716 / 29645

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

1. The term "you," "your," and "Dow" encompasses The Dow Chemical Company and all predecessors and/or successors thereto; all affiliated or related companies thereof; each division or subsidiary thereof; all parents thereof, whether wholly or partially owned; and its partners, directors, owners, officers, members, employees, and any other persons under the control of The Dow Chemical Company.

2. The term "patents-in-suit" shall mean United States Patent Number 5,847,053 (the '053 patent) and United States Patent Number 6,111,023 (the '023 patent).

TOPICS OF EXAMINATION

1. Any evidence showing that the parameter "slope of strain hardening coefficient" was known in the art prior to April 28, 1993.

2. The identity and disclosure of the "one or more printed publications cited by Plaintiff and/or the Examiner [which] disclose information defining all parts of the equation as described at column 6, lines 45-50 of the '053 patent" referred to in Dow's Reply to Amended Counterclaims (D.I. 54), paragraphs 79 and 80.

3. The identity and disclosure of the printed publications from prior to April 28, 1993 referred to in Dow's Reply to Amended Counterclaims (D.I. 54), paragraph 81.

4. The units disclosed for "slope of strain hardening" in the '053 patent in suit and where this disclosure is made in that patent.

5. The facts regarding Dow's obtaining the sample of Exxon Exact 3025 resin referred to in the May 19, 1998, Information Disclosure Statement in the prosecution history of Dow's '053 patent, patent application serial no. 834,050, and the determination of the slope of strain hardening coefficient (SHC) of that resin by Dow.

6. Each slope of strain hardening or SHC determination made by Dow on Exxon resins that exhibited an SHC value of 1.3 or greater.

7. The techniques used to obtain the ATREF-DV Curve Subtraction(s) shown in Dow Production Documents DN00118926-39 and an explanation of the subject matter of those documents.

8. An explanation of the figures and data contained in Dow Production Document Nos. DN00118829-67.

9. For each specific polymer or polymer component in Table 1 and Examples 1-8 in the patents-in-suit for which a SHC was reported in the patents-in-suit or has been otherwise determined by Dow, the identification of each tensile curves from which the SHC was determined, an explanation of how the slope of strain hardening was measured, and an identification of documents related to the same.

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on August 8, 2008, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on August 8, 2008, the attached document was Electronically Mailed to the following person(s):

Rodger D. Smith II
Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
rdsefiling@mnat.com

Harry J. Roper
Steven R. Trybus
Aaron A. Barlow
Jenner & Block LLP
One IBM Plaza
Chicago, IL 60611
hroper@jenner.com
strybus@jenner.com
abarlow@jenner.com

Darrick J. Hooker
Jenner & Block LLP
333 North Wabash Avenue
Chicago, IL 60611
dhooker@jenner.com

/s/ David E. Moore
Richard L. Horwitz
David E. Moore
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

743809 / 29645