**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF DELAWARE**

| | | |
|---|---|---|
| THE DOW CHEMICAL COMPANY,<br><br>Plaintiff,<br><br>v.<br><br>NOVA CHEMICALS CORPORATION (CANADA) and NOVA CHEMICALS INC. (DELAWARE),<br><br>Defendants. | ) | C.A. No. 05-737 (JJF)<br><br>**PUBLIC VERSION** |

**DECLARATION OF STEPHEN KRUPP IN SUPPORT OF DOW'S OPPOSITION TO DEFENDANTS' MOTION TO COMPEL**

I, Stephen Krupp, being first duly sworn, do declare and state as follows:

1. I am, and was in 2003, an attorney licensed to practice in the State of Texas and employed by The Dow Chemical Company.

2. In April, 2003, Nova released commercial grades of its SURPASS resins. REDACTED

REDACTED

REDACTED

3. REDACTED

REDACTED

REDACTED Attached to my Declaration is the unredacted version of Document #2335,

REDACTED

REDACTED Mr. Fordyce

responded on September 5. REDACTED

REDACTED

I declare under penalty of perjury that the foregoing is true and correct.

Date: August 28, 2008

Stephen Krupp

**CERTIFICATE OF SERVICE**

I, Rodger D. Smith II, hereby certify that on September 5, 2008, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Richard L. Horwitz
rhorwitz@potteranderson.com

I also certify that copies were caused to be served on September 5, 2008, upon the following in the manner indicated:

**BY EMAIL**

Richard L. Horwitz
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*/s/ Rodger D. Smith II*
Rodger D. Smith II (#3778)