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December 20, 2006

VIA ELECTRONIC FILING

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 King Street
Wilmington, Delaware 19801

Re: The Dow Chemical Company v. Nova Chemicals Corporation (Canada) and Nova Chemicals Inc. (Delaware); C.A. No. 05-737-JJF

Dear Judge Farnan:

I write on behalf of Nova with respect to its motion for judgment on the pleadings (D.I. 20). Briefing on that motion is now complete. See D.I. 21, 23, 25. We stand ready to present oral argument, if Your Honor thinks oral argument would be helpful. At bottom, our position is that this case can be resolved now, without any discovery, and without spending large sums of money and otherwise expending Court and party resources. Because a Scheduling Order has not been entered in the case, we respectfully submit that it would be in the best interest of the parties and the Court to resolve the motion for judgment on the pleadings before the parties embark on negotiating a schedule and starting the discovery process.

Respectfully,

/s/ Richard L. Horwitz

Richard L. Horwitz

RLH:nmt/768671
cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)