MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET
P.O. Box 1347
WILMINGTON, DELAWARE 19899-1347

302 658 9200
302 658 3989 FAX

RODGER D. SMITH II
302 351 9205
302 498 6209 FAX
rsmith@mnat.com

September 25, 2007

BY E-FILING

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

Re: *The Dow Chemical Company v. Nova Chemicals Corporation, et al.*, C.A. No. 05-737-JJF

Dear Judge Farnan:

Attached is a proposed Scheduling Order in the above-captioned case. The parties' competing proposals concerning bifurcation of willfulness are set forth in paragraph 4 of the proposed Order.

Respectfully,

/s/ Rodger D. Smith II

Rodger D. Smith II (#3778)

Enclosure

cc: Clerk of Court (By E-Filing; w/encl.)
Richard L. Horwitz, Esquire (By E-Filing; w/encl.)
Joann M. Neth, Esquire (By E-Mail; w/encl.)
Aaron A. Barlow, Esquire (By E-Mail; w/encl.)

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