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February 29, 2008

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:

The parties previously submitted a proposed Scheduling Order in this case in which the parties had a disagreement about the bifurcation of willfulness (D.I. 28). The parties have subsequently resolved that disagreement (*see* D.I. 49). The parties have also adjusted some of the dates included in the previous proposed order. Attached is a revised, agreed-upon Scheduling Order, which is ready for the Court's signature.

Respectfully,

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.)
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