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)

NOTICE OF DEPOSITION OF JOHN SWABEY

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, Plaintiff The Dow Chemical Company ("Dow") shall take the deposition upon oral examination of John Swabey, an employee of Defendants Nova Chemicals Corporation, and Nova Chemicals Inc. ("Nova") on May 16, 2008, at the offices of Morris, Nichols, Arsht & Tunnell LLP, 1201 N. Market Street, P.O. Box 1347, Wilmington, DE 19899-1347 or such other mutually agreed upon time and place. The deposition shall be taken pursuant to and in accordance with the Federal Rules of Civil Procedure and will be conducted before an officer duly authorized to administer oaths by the laws of the United States. The deposition will commence at 9:30 a.m. on May 16, 2008, continuing day-to-day thereafter, Sundays and holidays excepted, until completed. This deposition will be recorded stenographically and by videotape.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Rodger D. Smith II

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Dated: April 21, 2008

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CERTIFICATE OF SERVICE

I, Rodger D. Smith II, hereby certify that on April 21, 2008, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following:

Richard L. Horwitz
POTTER ANDERSON & CORROON LLP

I also certify that copies were caused to be served on April 21, 2008, upon the following in the manner indicated:

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