EXHIBIT A

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY

EXHIBIT B

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY

EXHIBIT C

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

901 New York Avenue, NW ▪ Washington, DC 20001-4413 ▪ 202.408.4000 ▪ Fax 202.408.4400
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JEFFREY W. ABRAHAM
202-408-4035
jeffrey.abraham@finnegan.com

April 11, 2008

VIA EMAIL AND FIRST CLASS MAIL

Aaron A. Barlow
JENNER & BLOCK LLP
330 N. Wabash Ave.
Chicago, IL 60611

Re: *The Dow Chemical Co. v. NOVA Chemicals Corp., et al.*
C.A. No. 05-737 (JJF), D. Del.

Dear Aaron:

We have reviewed the third revised privilege log you sent us on April 8, 2008. Dow continues to claim work product immunity and attorney client privilege improperly. As we have told you repeatedly in our prior letters, and during the April 3 meet and confer teleconference, we do not agree that this is appropriate. Furthermore, your third-revised log does not establish that the documents themselves were generated for a litigation purpose, let alone this litigation. Indeed your letter of April 4 states that "specific dates and other information . . . could not be found on the documents themselves."

We ask again that you produce these documents to us, and we are attaching two specific lists of documents that we believe should be produced immediately. These are documents we have discussed with you previously, in writing and during our April 3 meet and confer. It is our understanding from our previous discussions that you refuse to provide us with all of these documents. Accordingly we are filing our motion to compel today.

If you advise us by 4 p.m. EDT today that you are willing to produce the documents, we will not need to file the motion. If we do not hear from you by then we will assume the answer is "no," as you have told us previously, and that we are at an irresolvable impasse.

Sincerely,

Jeffrey W. Abraham

Enclosure
cc: Richard L. Horwitz, Esq. (via email)
Rodger D. Smith II, Esq. (via email)

II. List of Improper Work Product Claims

2	54	102	148	194	241	292	348
7	55	103	149	195	242	293	349
8	56	104	150	196	243	294	350
10	57	105	151	197	244	295	351
11	58	106	152	198	250	296	352
12	59	107	153	199	251	297	353
13	60	108	154	200	252	298	354
14	61	109	155	201	253	299	355
15	62	110	156	202	254	300	356
16	63	111	157	203	255	302	357
17	64	112	158	204	256	303	358
18	65	113	159	205	257	304	359
19	66	114	160	206	258	305	360
20	67	115	161	207	259	306	361
21	68	116	162	208	260	307	362
22	69	117	163	209	261	308	363
23	70	118	164	210	262	309	364
24	73	119	165	211	263	311	365
25	74	120	166	212	264	312	366
26	75	121	167	213	265	313	367
27	76	122	168	214	266	314	368
28	77	123	169	215	267	315	369
29	78	124	170	216	268	316	371
30	79	125	171	217	269	317	372
31	80	126	172	218	270	318	373
32	81	127	173	219	271	319	374
33	82	128	174	220	272	320	375
34	83	129	175	221	273	321	376
35	84	130	176	222	274	322	377
36	85	131	177	223	275	331	378
37	86	132	178	224	276	332	380
38	87	133	179	225	277	333	381
39	88	134	180	226	278	334	382
40	89	135	181	227	279	335	383
41	90	136	182	228	280	336	384
42	91	137	183	229	281	337	385
43	92	138	184	230	282	338	386
44	93	139	185	231	283	339	388
45	94	140	186	232	284	340	389
47	95	141	187	233	285	341	390
48	96	142	188	234	286	342	391
49	97	143	189	235	287	343	392
50	98	144	190	236	288	344	397
51	99	145	191	237	289	345	398
52	100	146	192	238	290	346	399
53	101	147	193	239	291	347	400

II. List of Improper Work Product Claims

401	464	510	556	602	762	808	859
404	465	511	557	603	763	809	860
405	466	512	558	604	764	810	861
406	467	513	559	605	765	811	862
407	468	514	560	606	766	812	863
410	469	515	561	607	767	813	864
411	470	516	562	608	768	814	865
412	471	517	563	609	769	815	866
413	472	518	564	610	770	816	867
421	473	519	565	611	771	817	868
427	474	520	566	612	772	818	869
428	475	521	567	613	773	819	870
430	476	522	568	614	774	820	871
431	477	523	569	615	775	823	872
432	478	524	570	616	776	824	873
433	479	525	571	620	777	825	874
434	480	526	572	622	778	826	875
435	481	527	573	623	779	827	876
436	482	528	574	734	780	828	877
437	483	529	575	735	781	831	878
438	484	530	576	736	782	832	879
439	485	531	577	737	783	833	880
440	486	532	578	738	784	834	881
441	487	533	579	739	785	835	882
442	488	534	580	740	786	836	884
443	489	535	581	741	787	837	885
444	490	536	582	742	788	839	886
445	491	537	583	743	789	840	887
446	492	538	584	744	790	841	888
447	493	539	585	745	791	842	889
448	494	540	586	746	792	843	890
449	495	541	587	747	793	844	891
450	496	542	588	748	794	845	892
451	497	543	589	749	795	846	893
452	498	544	590	750	796	847	894
453	499	545	591	751	797	848	895
454	500	546	592	752	798	849	896
455	501	547	593	753	799	850	897
456	502	548	594	754	800	851	898
457	503	549	595	755	801	852	899
458	504	550	596	756	802	853	900
459	505	551	597	757	803	854	901
460	506	552	598	758	804	855	902
461	507	553	599	759	805	856	903
462	508	554	600	760	806	857	913
463	509	555	601	761	807	858	915

II. List of Improper Work Product Claims

916	966	1029	1109	1160	1214	1260	1318
917	967	1030	1110	1161	1215	1261	1321
918	968	1031	1111	1162	1216	1262	1322
919	969	1032	1112	1167	1217	1263	1323
920	970	1033	1113	1171	1218	1264	1324
921	971	1034	1114	1172	1219	1265	1325
922	972	1035	1115	1173	1220	1266	1326
923	973	1037	1116	1174	1221	1267	1327
924	974	1038	1117	1175	1222	1268	1328
925	975	1040	1118	1176	1223	1269	1329
926	976	1041	1119	1177	1224	1271	1330
927	977	1042	1120	1178	1225	1272	1331
928	978	1044	1121	1179	1226	1273	1332
929	979	1045	1122	1180	1227	1278	1333
932	980	1048	1123	1181	1228	1279	1334
933	981	1049	1125	1182	1229	1280	1335
934	982	1050	1126	1183	1230	1281	1336
935	983	1055	1127	1184	1231	1282	1337
938	984	1056	1128	1185	1232	1283	1338
939	985	1057	1129	1186	1233	1284	1339
940	986	1058	1130	1187	1234	1285	1340
941	987	1059	1131	1188	1235	1286	1341
942	989	1060	1132	1189	1236	1287	1342
943	990	1061	1133	1190	1237	1288	1344
944	991	1062	1134	1191	1238	1289	1345
945	992	1063	1135	1192	1239	1290	1346
946	993	1064	1136	1193	1240	1291	1347
947	996	1067	1137	1195	1241	1297	1348
948	997	1068	1138	1196	1242	1299	1349
949	998	1069	1139	1197	1243	1301	1350
950	999	1070	1140	1198	1244	1302	1351
951	1000	1072	1141	1199	1245	1303	1352
952	1004	1073	1142	1200	1246	1304	1354
953	1010	1075	1143	1201	1247	1305	1356
954	1011	1076	1144	1202	1248	1306	1359
955	1012	1077	1145	1203	1249	1307	1362
956	1017	1078	1146	1204	1250	1308	1364
957	1019	1079	1147	1205	1251	1309	1365
958	1021	1080	1151	1206	1252	1310	1372
959	1022	1081	1152	1207	1253	1311	1376
960	1023	1082	1153	1208	1254	1312	1377
961	1024	1083	1155	1209	1255	1313	1378
962	1025	1084	1156	1210	1256	1314	1379
963	1026	1085	1157	1211	1257	1315	1380
964	1027	1086	1158	1212	1258	1316	1384
965	1028	1108	1159	1213	1259	1317	1386

II. List of Improper Work Product Claims

1387	1496	1542	1588	1634	1682	1728	1774
1390	1497	1543	1589	1635	1683	1729	1775
1391	1498	1544	1590	1636	1684	1730	1776
1394	1499	1545	1591	1637	1685	1731	1777
1395	1500	1546	1592	1638	1686	1732	1778
1400	1501	1547	1593	1639	1687	1733	1779
1401	1502	1548	1594	1640	1688	1734	1780
1402	1503	1549	1595	1641	1689	1735	1781
1403	1504	1550	1596	1642	1690	1736	1782
1404	1505	1551	1597	1643	1691	1737	1783
1405	1506	1552	1598	1644	1692	1738	1784
1406	1507	1553	1599	1645	1693	1739	1785
1407	1508	1554	1600	1646	1694	1740	1786
1408	1509	1555	1601	1647	1695	1741	1787
1409	1510	1556	1602	1648	1696	1742	1788
1410	1511	1557	1603	1649	1697	1743	1789
1411	1512	1558	1604	1650	1698	1744	1790
1452	1513	1559	1605	1651	1699	1745	1791
1458	1514	1560	1606	1652	1700	1746	1792
1460	1515	1561	1607	1653	1701	1747	1793
1467	1516	1562	1608	1654	1702	1748	1794
1468	1517	1563	1609	1655	1703	1749	1803
1469	1518	1564	1610	1656	1704	1750	1804
1470	1519	1565	1611	1657	1705	1751	1805
1473	1520	1566	1612	1658	1706	1752	1806
1474	1521	1567	1613	1659	1707	1753	1810
1475	1522	1568	1614	1660	1708	1754	1811
1477	1523	1569	1615	1662	1709	1755	1812
1478	1524	1570	1616	1663	1710	1756	1813
1479	1525	1571	1617	1664	1711	1757	1822
1480	1526	1572	1618	1665	1712	1758	1823
1481	1527	1573	1619	1666	1713	1759	1824
1482	1528	1574	1620	1667	1714	1760	1825
1483	1529	1575	1621	1668	1715	1761	1826
1484	1530	1576	1622	1669	1716	1762	1832
1485	1531	1577	1623	1670	1717	1763	1836
1486	1532	1578	1624	1671	1718	1764	1837
1487	1533	1579	1625	1672	1719	1765	1843
1488	1534	1580	1626	1673	1720	1766	1844
1489	1535	1581	1627	1674	1721	1767	1845
1490	1536	1582	1628	1675	1722	1768	1846
1491	1537	1583	1629	1676	1723	1769	1847
1492	1538	1584	1630	1677	1724	1770	1849
1493	1539	1585	1631	1678	1725	1771	1854
1494	1540	1586	1632	1679	1726	1772	1856
1495	1541	1587	1633	1681	1727	1773	1857

II. List of Improper Work Product Claims

1859	1906	1986	2052	2150	2245	2338
1860	1915	1987	2054	2151	2246	2340
1861	1926	1988	2057	2164	2255	2341
1862	1928	1989	2059	2165	2256	2342
1863	1929	1990	2060	2166	2257	2343
1864	1930	1991	2064	2167	2261	2344
1865	1931	1992	2065	2168	2262	2345
1866	1932	1993	2066	2169	2265	2346
1867	1933	1994	2067	2170	2266	2347
1868	1934	1995	2068	2171	2267	2348
1869	1935	1996	2069	2172	2270	2354
1870	1936	1997	2070	2173	2283	2355
1871	1937	1998	2072	2174	2287	2356
1872	1938	1999	2075	2175	2288	2357
1873	1939	2000	2076	2176	2289	2358
1874	1940	2001	2083	2178	2290	2359
1875	1941	2002	2084	2179	2292	2361
1876	1942	2003	2085	2181	2293	2362
1877	1943	2004	2086	2182	2294	2364
1878	1944	2006	2088	2183	2295	2367
1879	1945	2007	2100	2184	2296	2368
1880	1946	2008	2101	2185	2297	2369
1881	1947	2009	2106	2186	2299	2370
1882	1948	2010	2108	2187	2306	2371
1883	1949	2011	2109	2188	2307	2373
1884	1950	2012	2110	2189	2310	2374
1885	1951	2013	2111	2192	2311	2377
1886	1952	2018	2117	2193	2312	2391
1887	1953	2019	2118	2199	2313	2394
1888	1954	2021	2119	2200	2316	
1889	1955	2027	2120	2201	2317	
1890	1962	2028	2121	2202	2319	
1891	1969	2032	2126	2203	2320	
1892	1971	2033	2127	2204	2321	
1893	1974	2034	2128	2213	2324	
1894	1975	2035	2129	2216	2325	
1895	1976	2036	2130	2217	2326	
1896	1977	2037	2131	2218	2327	
1897	1978	2038	2132	2219	2328	
1898	1979	2039	2133	2233	2330	
1899	1980	2040	2136	2234	2331	
1901	1981	2043	2143	2235	2332	
1902	1982	2047	2144	2241	2333	
1903	1983	2048	2146	2242	2334	
1904	1984	2049	2147	2243	2335	
1905	1985	2050	2149	2244	2337	

II. List of Improper Attorney-Client Claims

5	675	1093	2044	2297
249	676	1094	2056	2298
325	677	1099	2062	2305
326	678	1100	2072	2308
328	679	1105	2074	2309
330	680	1106	2097	2315
393	681	1166	2103	2316
394	682	1169	2104	2326
395	683	1270	2105	2330
396	684	1298	2108	2331
414	685	1319	2113	2332
415	686	1356	2114	2333
416	689	1364	2115	2334
417	690	1365	2117	2335
418	691	1372	2119	2336
426	692	1381	2120	2337
624	693	1399	2121	2349
625	694	1412	2122	2350
626	695	1413	2136	2354
627	696	1414	2141	2355
628	697	1415	2150	2356
630	698	1428	2151	2368
631	699	1429	2152	2369
632	700	1431	2153	2370
633	701	1436	2158	2371
641	702	1437	2160	2372
642	703	1445	2161	2392
643	704	1446	2162	2393
644	705	1449	2163	2395
648	706	1450	2174	2396
650	709	1451	2194	2397
654	710	1467	2203	2398
655	711	1815	2204	
656	712	1820	2228	
658	731	1827	2229	
659	732	1832	2249	
660	733	1837	2258	
662	995	1896	2268	
666	1040	1897	2270	
668	1061	1898	2272	
669	1062	1927	2273	
670	1063	2018	2275	
671	1079	2019	2276	
672	1087	2024	2292	
673	1091	2025	2293	
674	1092	2026	2294	

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY, Plaintiff, v. NOVA CHEMICALS CORPORATION, and NOVA CHEMICALS, INC., Defendants.	Civil Action No. 05-737 (JJF)

NOVA'S FIRST SET OF REQUESTS (NOS. 1-104) TO DOW FOR PRODUCTION OF DOCUMENTS AND THINGS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendants Nova, Chemicals Corporation, and Nova Chemicals, Inc. (collectively "Nova"), request that Plaintiff, The Dow Chemical Company ("Dow"), produce for inspection and copying all documents and things requested herein within thirty (30) days of service in accordance with the definitions and instructions set forth below. Production of these documents and things shall be at the office of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 901 New York Avenue, NW, Washington, D.C. 20001-4413, or at another time and place as may be mutually agreed upon by counsel for the parties.

DEFINITIONS OF TERMS

The following definitions apply to all of Nova's discovery requests in this case as well as to Dow's discovery responses:

4. Physical samples, such as samples of polymer materials shall be labeled to indicate the identity of each of the sampled materials, the names used to identify the product or products produced, and the date the materials were produced.

5. Dow is required to produce not only the original or an exact copy of the original of all documents and things responsive to any of the following numbered requests, but also all copies of such documents and things that bear any notes or markings not found on the originals and all preliminary, intermediate, final, and revised drafts or embodiments of such documents and things. Dow is required to produce all versions of such documents and things as well as identical copies found in different files.

6. If Dow withholds from production any document or thing responsive to any of the numbered requests below on the ground that said document or thing is privileged or immune from discovery as work product, Dow shall provide a withheld document log identifying:

(a) the date or dates appearing on such withheld document or thing, or if no date appears thereon, the date (or approximate date) such document or thing was prepared or created;

(b) the identity of all persons who prepared, authored, signed, and received such document or thing, or who learned of its contents, including an identification of whether or not said person(s) are or were affiliated with Dow and if said person(s) was affiliated with Dow, the nature of the affiliation;

(c) a description of the nature of the document or thing in a manner that is sufficient to enable Nova to evaluate, and if necessary, challenge the claim of privilege or immunity; and

(d) the specific grounds for withholding the document or thing, including the nature of the privilege (*e.g.*, attorney-client privilege, work product) or other rule of law relied upon to withhold the document or thing, and the facts supporting those grounds.

7. Any purportedly privileged document or thing that contains non-privileged matter therein must be produced, with the purportedly privileged portion redacted therefrom. Dow shall identify the specific location on each page where matter has been redacted.

8. If Dow is aware of any document or things requested to be produced that has been lost, discarded, destroyed, or is otherwise not available for production by Dow for any reason whatsoever, Dow shall provide:

(a) a full identification of each such document or thing, including its author, addressee, recipient, date, and general type (*e.g.*, letter, report);

(b) a summary of its contents or general subject matter;

(c) the names, affiliations, and job titles of all persons who participated in preparing and/or signing the document or thing;

(d) the date and manner of disposal;

(e) the reason for disposal;

(f) the identity of any person who has possession, custody, or control of a partial or complete copy of such document or thing; and

(g) the identity of all persons who participated in and/or authorized the destruction or discarding or who have knowledge of the dates and circumstances surrounding the destruction or discarding.

EXHIBIT E

FINNEGAN
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April 7, 2008

VIA EMAIL AND FIRST CLASS MAIL

Aaron A. Barlow
JENNER & BLOCK LLP
330 N. Wabash Ave.
Chicago, IL 60611

Re: *The Dow Chemical Co. v. NOVA Chemicals Corp., et al.*
C.A. No. 05-737 (JJF), D. Del.

Dear Aaron:

This letter responds to your letter dated April 4, 2008, to Joann Neth.

Dow's multiple delays in providing NOVA with a proper privilege log have placed the deadlines in the entered Scheduling Order in substantial jeopardy. The additional delays indicated in your April 4, 2008, letter only make this situation worse. Further, contrary to the commitments you made in our meet and confer on April 3rd, you failed to identify documents already de-designated from Dow's second revision of its privilege log. Needless to say, we also have not received those documents.

Your letter of April 4 also does not accurately represent the facts related to the deficiencies in Dow's privilege log, in particular by stating that we requested "for the first time" dates for Dow's privilege log entries at the April 3rd meet and confer. To the contrary, NOVA's October 2, 2007, document requests to Dow specifically requested dates and other identifying information for any documents withheld by Dow. What we requested in our letter of March 14, 2008, and at the April 3rd meet and confer, was Dow's evidence to support its extensive claims of privilege and immunity--obviously this includes information such as dates. In response, we received your letter of April 2nd and the conclusory declaration of Mark Johnson. While it is true, of course, that a substantial number of Dow's entries lack dates, your April 4 letter makes it clear that Dow has not relied on dates to support its claims of privilege and immunity for these documents.

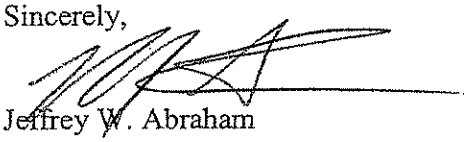
During the meet and confer and in our March 14 letter, we also raised the impropriety of Dow's withholding of fact-based testing of NOVA's SURPASS product as work product. We asked if

Dow would produce those documents, and your answer was "no." Clearly we are at an impasse with respect to those documents.

Additionally, as to the inadequacy of Dow's withheld document log and its failure to substantiate Dow's attorney-client privilege and work product claims, we made clear to you during the meet and confer that Dow had since March 14 (over three weeks) to make any revisions to its log that it thought necessary. What we received the evening before the meet and confer on April 3 was the conclusory Johnson Declaration, which we told you was insufficient to carry Dow's burden in substantiating its work product claims. Further, we told you that in view of the current scheduling order and the substantial time that had already passed, we needed to resolve these disputes promptly and that we needed to have them addressed during Judge Farnan's May motion day. You expressed that it was your desire to get the disputes resolved in May as well, and not to have them remain unresolved for an additional month to the June motion day. In view of Judge Farnan's motion procedure, we told you we would get our motion to compel on file early this week. We also told you that to the extent Dow wanted to revise its log, it should do so last week, but that if we received revisions after the filing of our motion, we would consider them and revise the motion if and as necessary.

We will separately respond to the other issues raised in your letter concerning document issues, but note that Dow has still not explained why it failed to previously collect and produce the requested resin samples. You are correct that some of our production requests are directed to samples of single polymers--that is because the patents-in-suit claim properties of the polymeric **components** of the blends.

Sincerely,



Jeffrey W. Abraham

Enclosure
cc: Richard L. Horwitz, Esq. (via email)
Rodger D. Smith II, Esq. (via email)

EXHIBIT F

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY

EXHIBIT G

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY

EXHIBIT H

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY

EXHIBIT I

THIS EXHIBIT HAS BEEN REDACTED IN ITS ENTIRETY