

Press Release

November 23, 2010: Clarksburg, West Virginia: Attorneys for both the class members involved in a lawsuit alleging heavy metal contamination and exposure in Spelter, West Virginia and for DuPont, the one-time owner of the zinc smelting plant at issue in the litigation, announced today a proposed settlement of the lawsuit. In 2007 a Harrison County jury returned verdicts that awarded class members monies for clean-up costs and punitive damages and also ordered DuPont to pay for a future medical monitoring program for class members. The verdicts were appealed to the West Virginia Supreme Court which ordered a new trial in the litigation to take place on one issue: whether the class action lawsuit was filed within the applicable statute of limitations. That trial is set to take place in Harrison County in early March of 2011.

Today however the attorneys for both sides have announced a proposed settlement by which DuPont will pay the sum of 70 million dollars for clean-up costs as well as other costs and expenses associated with the litigation. In addition DuPont under the proposed settlement has agreed to provide periodic medical testing and medical check-ups to class members for a period of thirty (30) years so as to ensure that any effects from exposure are discovered and treated in a timely fashion. Class members will be notified by mail and by public advertisements of the proposed settlement and will be invited to a final hearing on the settlement which is tentatively scheduled for December 30, 2010 in the Harrison County courtroom of Circuit Judge Tom Bedell. The Memorandum of Understanding reached by the parties which sets forth the terms and conditions of the proposed settlement can be accessed at www.spelterclass.com or www.PerrineDuPont.com.

Both parties expressed their satisfaction with the proposed settlement and urged all class members to review the details of the settlement in advance of the December 30th hearing by going to the above-referenced website.

For any questions regarding this press release please contact Farrest Taylor (plaintiffs' counsel) at 334-793-1555, Jim Lees (counsel for DuPont) at 304-344-9651, Dan Turner of DuPont at 302-774-0081, or Edgar Gentle III, Special Administrator at 205-716-3000.