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Court Approves Class Action Settlement in West Virginia
Panel of health experts named to conduct community health study

PARKERSBURG, W.Va., Feb. 28, 2005 — DuPont and attorneys for the plaintiffs today said they are pleased that Wood County (W.Va.) Circuit Court has given its final approval to the proposed settlement of the class action lawsuit brought by local residents against DuPont in 2001. The lawsuit was related to releases of the chemical C-8, also known as PFOA, from DuPont's Washington Works plant here.

The settlement includes providing treatment to remove C-8 from water in area communities and creation of an independent expert panel selected by plaintiffs and DuPont to conduct a community study to assist it in evaluating whether there is a probable link between C-8 exposure and any human disease.

"We are pleased with the court's decision and are ready to implement the terms of the settlement," said Paul J. Bossert, DuPont Washington Works plant manager. "Since 1999, we have reduced emissions of PFOA from our plant by 99 percent. We recognize the public has questions about the safety of PFOA, and we are working to address them. At the same time, we are confident that our operations are safe and that the products we make do not harm our community or the environment."

"We are satisfied that this settlement is in the best interests of the persons who are, or were, impacted by exposure to C-8," said Harry Deitzler, one of the plaintiffs' class counsel. "The human health project approved by the court is unprecedented in scope, and will provide incomprehensible benefit to all persons who may have been affected by C-8. It will examine the current and past health of more people, in more detail, than ever before studied as a group in the history of the world. Also, DuPont will immediately clean up affected water supplies and will fund a totally impartial scientific study to ascertain all human health concerns related to C-8. I commend DuPont for stepping forward to accept responsibility for any possible adverse effects which may be the result of C-8 in the local environment."

Settlement proceeds will benefit Class Members in the Ohio and West Virginia communities in the vicinity of the Washington Works plant. As part of the settlement, DuPont has agreed to an initial cash payment of \$70 million, all of which will be used for the health and education project as approved by the court.

DuPont and Class Counsel said that Dr. Tony Fletcher, Dr. David Savitz, and Dr. Kyle Steenland have agreed to serve as the independent panel of experts who will evaluate available scientific evidence on the

extent of any probable link between exposure to PFOA and any human disease, including birth defects. Toward that end, this independent panel will also design and conduct a health study in the communities exposed to PFOA. DuPont will fund the study at an estimated cost of \$5 million.

Should the panel conclude that a probable link exists between exposure to PFOA and any diseases, DuPont will fund a medical monitoring program for up to \$235 million, in \$1 million intervals, to pay for medical testing determined to be necessary by an independent medical panel, which will be selected by plaintiffs and DuPont. In this event, DuPont will not contest general causation between PFOA and any such disease in any personal injury claims that class members may pursue. If the panel finds no association or no such probable link, any of the class members' personal injury claims and related punitive damage claims will be released.

In addition, DuPont will offer to provide six area water districts — Little Hocking, Lubeck, Belpre, Tupper Plains, Mason County and Pomeroy — state-of-the-art water treatment systems designed to reduce the level of C-8 in the water supply to the lowest practicable levels as specified by the water districts. The company will offer the same technology, or its equivalent, to residents of those districts whose sole source of drinking water are private wells. The company estimates the cost for water treatment to be \$10 million. Preliminary work related to design of water treatment for the public water districts has been underway for several months.

All of the plaintiffs' other claims for relief, including medical monitoring, injunctive relief, property damage, and all claims for punitive damage related to such claims, are conditionally released in exchange for the benefits secured upon final approval of the settlement. Under the terms of the settlement, DuPont has agreed to provide cash payments and expenditures valued at \$85 million, plus attorneys' fees and expenses of \$22.6 million. The settlement also addresses contingent medical monitoring funding with cash guarantees of up to \$235 million to the class in the event that the scientific panel determines that such monitoring is necessary.

The Charleston, W.Va., law firms of Hill, Peterson, Carper, Bee & Deitzler, PLLC, and Winter Johnson & Hill, PLLC, and the Cincinnati law firm of Taft, Stettinius & Hollister, LLP, serve as class counsel for the plaintiffs.

DuPont is a science company. Founded in 1802, DuPont puts science to work by creating sustainable solutions essential to a better, safer, healthier life for people everywhere. Operating in more than 70 countries, DuPont offers a wide range of innovative products and services for markets including agriculture, nutrition, electronics, communications, safety, and protection, home and construction, transportation and apparel.

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