

NOTICE OF CERTIFICATION AND SETTLEMENT APPROVAL HEARING IN THE MATTERS OF ETHYLENE PROPYLENE DIENE MONOMER ("EPDM") CLASS ACTION LITIGATION AND POLYCHLOROPRENE ("PCP") CLASS ACTION LITIGATION

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.

TO: All persons in Canada who purchased EPDM or EPDM Products in Canada between January 1, 1997 and December 31, 2001. You are a member of a proposed Settlement Class in the EPDM proceeding described below.

AND TO: All persons in Canada who purchased PCP or PCP Products in Canada between January 1, 1999 to December 31, 2003. You are a member of a proposed Settlement Class in the PCP proceeding described below.

EPDM is a synthetic rubber used in a variety of applications. Some of the common trade names for EPDM include Buna, Royalene, Royaltherm, Keltan, Nordel, and Vistalon. EPDM Products are products that directly or indirectly contain or are derived from EPDM.

PCP is a synthetic rubber used in a variety of applications. Some of the common trade names for PCP include Neoprene, Baypren, Butaclor, Denka, and Skyprene. PCP Products are products that directly or indirectly contain or are derived from PCP.

I. THE PROCEEDINGS AND SETTLEMENTS

A. EPDM Proceedings and Settlements

Class proceedings lawsuits have been initiated in Ontario, British Columbia and Quebec against DuPont Dow Elastomers L.L.C., E.I. du Pont de Nemours and Company, E.I. du Pont Canada Company, The Dow Chemical Company, Dow Chemical Canada Inc., Bayer Inc., Bayer A.G., Bayer Material Science A.G., Bayer Material Science LLC, Bayer Corporation, Crompton Corporation, Crompton Co/Cie., Crompton Canada Corporation, Uniroyal Chemical Company Inc., Koninklijke DSM N.V., DSM Elastomers Europe B.V., DSM Elastomers Holding Company, Inc., DSM Elastomers America, and ExxonMobil Chemical Company (the "Defendants"), in which it is alleged that the Defendants conspired to fix prices for EPDM in Canada (collectively referred to as the "EPDM Proceedings").

A settlement has been reached with the following Defendants: Chemtura Corporation (f/k/a Crompton Corporation), Crompton Co/Cie., Crompton Canada Corporation, and Uniroyal Chemical Company Inc. (the "Crompton Defendants"). The Crompton Defendants have agreed, in exchange for a full release of claims against them relating to the EPDM Proceedings, to pay \$4,500,000 into a Settlement Fund to be held in trust by Class Counsel pending further order of the Court as to the distribution of the Settlement Fund. The Crompton Defendants do not admit liability. The settlement is a compromise of disputed claims. The litigation is continuing against all other Defendants except the DDE Defendants as defined below.

Notice was previously published advising that a settlement had been reached with DuPont Dow Elastomers L.L.C., E.I. du Pont de Nemours and Company, E.I. du Pont Canada Company, The Dow Chemical Company, and Dow Chemical Canada Inc. (the "DDE Defendants").

B. PCP Proceedings and Settlement

Class proceedings lawsuits have been initiated in Ontario and Quebec against Bayer Inc., Bayer A.G., Bayer Material Science A.G., Bayer Material Science LLC (formerly Bayer Polymers LLC), Bayer Corporation, DuPont Dow Elastomers L.L.C., E.I. du Pont de Nemours and Company, E.I. du Pont Canada Company, The Dow Chemical Company, and Dow Chemical Canada Inc. (the "DDE Defendants"), Polimeri Europa S.R.L., Polimeri Europa Americas, Inc., Polimeri Americas, Inc., Enichem S.p.A., and Enichem Americas, Inc. and Sidel SPA (the "Defendants"), in which it is alleged that the Defendants conspired to fix prices for PCP in Canada (collectively referred to as the "PCP Proceedings").

A settlement has been reached with the DDE Defendants. The DDE Defendants have agreed, in exchange for a full release of claims against them relating to the PCP Proceedings, to pay \$566,274 into a Settlement Fund to be held in trust by Siskind, Cromarty, Ivey & Dowler LLP pending further order of the Court as to the distribution of the Settlement Fund. The DDE Defendants do not admit liability. The settlement is a compromise of disputed claims. The litigation is continuing against all other Defendants.

C. Motions to Approve EPDM Settlements and PCP Settlement and Right to Appear and Object

Motions to approve the EPDM settlement with the Crompton Defendants and the PCP settlement with the DDE Defendants will be heard by the Ontario Court in the City of London (80 Dundas Street) on November 16, 2005, at 10:00 a.m. and by the Superior Court of Quebec at the Montreal Court House (1, Notre-Dame E.) on a date to be determined by the Superior Court of Quebec, which date will be posted on Class Counsel's website at www.classaction.ca and at www.belleaulapointe.com as soon as it is known. A motion to approve the EPDM settlement with the Crompton Defendants will be heard by the British Columbia Supreme Court (800 Smithe Street) on December 6, 2005 at 9:00 a.m.

Settlement class members who do not oppose the proposed settlement(s) need not appear at the hearings or take any other action at this time to indicate their desire to participate in the settlement(s).

Settlement class members are entitled to appear and make submissions at any of these settlement approval hearings. If you wish to comment on or make an objection to one or both of the settlement(s), a written submission must be delivered to one of the Class Counsel at the addresses listed below by November 7, 2005. Class Counsel will forward all such submissions to the Court. All filed written submissions will be considered by the Court. If you do not file a written submission by November 7, 2005, you will not be entitled to participate, through oral submissions or otherwise, in the settlement approval hearing(s). If the settlements receive Court approval, further notices will be published to advise of such Court approval.

The motions to approve the EPDM Settlement with the DDE Defendants were scheduled to be heard by the Ontario Court in the City of London on September 14, 2005, the Superior Court of Quebec in Quebec City on September 15, 2005 and the British Columbia Court in the City of Vancouver on September 29, 2005. Those motions were adjourned and will now be heard by the Ontario Court in the City of London on November 16, 2005, at 10:00 a.m., the British Columbia Court in the City of Vancouver on December 6, 2005 at 9:00 a.m. and the Superior Court of Quebec in the City of Montreal on a date to be determined by the Superior Court of Quebec, which date will be posted on Class Counsel's website at www.classaction.ca and at www.belleaulapointe.com as soon as it is known. Notice in respect of this motion was previously published and is posted at www.classaction.ca. The time for making objections in respect of this settlement has expired.

II. OPTING OUT OF THE PROCEEDINGS

If you are a member of either or both Settlement classes in the EPDM and/or PCP Proceedings, and remain a member, you will be able to participate in the settlements. If you exclude yourself from the Settlement(s) (i.e., "opt out") you will not be able to participate. You also will be bound by the terms of the settlement(s), if approved, unless you opt out. This means that unless you opt out you will not be able to bring or maintain any other claim or legal proceeding against the EPDM and/or PCP Settling Defendants alleging acts in violation of the Competition Act, such as price-fixing, or other claims relating to the alleged conduct in the markets for EPDM or PCP respectively. You must opt out of the EPDM Proceedings and the PCP Proceedings separately. The deadlines to opt out of the EPDM and PCP Proceedings will be determined by the Court(s) at the Certification and Settlement Approval Hearing(s) and will be published in a subsequent Notice.

III. CLASS COUNSEL

The law firm of Siskind, Cromarty, Ivey & Dowler LLP represents proposed class members in provinces other than British Columbia and Quebec, and corporate entities in Quebec, for both the EPDM and PCP Proceedings. Ontario Class Counsel can be reached toll free at 1-800-461-6166 ext. 455 or by mail at 680 Waterloo Street, London, Ontario N6A 3V8.

The law firm of Poyner Baxter LLP represents proposed class members in British Columbia in the EPDM Proceedings. Poyner Baxter can be reached at 604-988-6321 or by mail at Lonsdale Quay Plaza, #408-145 Chadwick Court, North Vancouver, BC V7M 3K1.

The law firm of Siskind Desmeules S.E.N.C.R.L. represents individuals who are proposed class members in Quebec in the EPDM Proceedings. Quebec Class Counsel can be reached at 418-694-2009 or by mail at Les promenades du Vieux-Quebec, 3 rue Buade, bureau 320, Quebec City, QC G1R 4A.

The law firm of Belleau Lapointe S.A. represents individuals who are proposed class members in Quebec in the PCP Proceedings. Quebec Class Counsel can be reached at 514-987-6700 or by mail at 306, Place d'Youville, Suite B-10, Montreal, QC H2Y 2B6.

Class Counsel legal fees and disbursements must be approved by the Courts. Class Counsel will be requesting legal fees of 25% of the Settlement Funds, plus disbursements and applicable taxes.

IV. QUESTIONS ABOUT THE SETTLEMENT(S)

This notice contains only a summary of the settlements and class members are encouraged to review the entire settlement agreements. A copy of the settlement agreements can be obtained free of charge at www.classaction.ca. A copy of the PCP settlement agreement can be obtained free of charge at www.belleaulapointe.com. Alternatively, the settlement agreements can be mailed to you upon request from Class Counsel at a cost of \$20, which represents the cost of photocopying and mailing. You also can call or write to Class Counsel with questions. INQUIRIES SHOULD NOT BE DIRECTED TO THE COURT.

V. INTERPRETATION

This notice contains a summary of some of the terms of the settlement(s). If there is a conflict between the provisions of this notice and the settlement agreement(s), including its appendices, the terms of the settlement agreement(s) shall prevail.