

NOTICE OF INTENTION TO OPT OUT OF CYPRESS CREEK CLASS ACTION SETTLEMENT

The undersigned is a member of the class defined by the proposed class action settlement in *Mildred Isabel et al. v. Velsicol Chemical Corporation*, No. 04-2297 (W.D. Tenn.); that is, I fall within the following definition of the proposed settlement class:

ALL PERSONS AND ENTITIES WHO CURRENTLY OWN OR HAVE OWNED ANY INTEREST IN REAL PROPERTY FROM APRIL 1, 2001, TO DATE, LOCATED IN MEMPHIS, SHELBY COUNTY, TENNESSEE,

- (A) AT OR BORDERING CYPRESS CREEK BETWEEN SCOTT STREET UPSTREAM AND THE WOLF RIVER DOWNSTREAM; OR**
- (B) IN THE VICINITY OF CYPRESS CREEK THAT HAS BEEN SUBJECT TO SOIL TESTING BY VELSICOL CHEMICAL CORPORATION, TDEC, EPA, OR OTHER GOVERNMENTAL AUTHORITIES AND HAS BEEN FOUND TO CONTAIN DETECTABLE LEVELS OF DIELDRIN OR RELATED COMPOUNDS IN ANY AMOUNT.**

Having been notified of the proposed class action settlement and my rights to participate in the settlement; to comment on the proposed settlement at a fairness hearing; to seek to intervene in the action; and to opt-out of the proposed settlement class, I hereby notify the Court and parties of my intention to opt-out of the settlement.

I understand that any individual claims I may choose to assert hereafter remain subject to all defenses available to the defendants and are subject to individual proof and all applicable rules of law, including the Tennessee statutes of limitation.

PLEASE NOTE IN THE RECORDS OF THE COURT THAT I HAVE CHOSEN TO OPT-OUT OF THE PROPOSED SETTLEMENT AND DO NOT WISH TO PARTICIPATE AS A MEMBER OF THE SETTLEMENT CLASS.

Name

Address

Date