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November 8, 2006

He Excelency Rohen Sen Ambassator Embasy of India 2107 Massechaeta Avanue, NW Washington, DC 20003

Dear Mr. Ambassador.

It was a pleasure to see you again at the U.S. -India CEO Forum in New York on 25 October. I especiely appreciated your exponent or discussing resolution of the Brogue tagent lastice as a tangatin, colliverable automs for the CEC Forum.

Given the skataments made by the Government of india representatives in itons of all meeting anarchess that Dow is not responsible for Bhopal and will not be pursued by the GOI, it will be important to follow innurgh to entrue that constate, sustained adfons are taken that are consistent with these statements.

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2. Legel – GOI leaders need to wark with all Malesties of the canthal government to ensure that there issue doubton is reflected is any and all of GOTs assemble. Regal files, and dealings with the indian cave system. The Dow Chernical Campany has been sured in Public Interest Lifegian is the High Count of Madhys Fradesh reside to environmentia streadisticn of the alls. GOI and the state government are also studi to that bigstion, and COI has taken positions adverse to Dow. Specifically, the GOI Melany of Chemical Area for a paper and the Count in Mary 2005 to order Dow to per a deposit of Public the count is fuely 2005 to order Dow to per a deposit of Public takeness resident on androg on the mather that applicators with the indian to Count is start 2005 to order Dow to per a deposit of Public take enders of the state applied to the count in Mary 2005 to order Dow to per a deposit of Public take to the state applied to the node of the state applied to the count is Mary 2005 to order Dow to per a deposit of Public take to the indian the state applied to the count is Mary 2005 to order Dow to per a deposit of the call and the state the Maney 2005 to ander Dow to per a deposit of the called the state the applied to the state applied to the count is Mary 2005 to order Dow to per a deposit of the called the state applied to the state applied to the state the down to per a deposit of the called the state the down the take applied to the state the down to applied to the state the down to applied to the state the down to applied to the state application work of the state application work of the state application application work of the state the down to applied to the state the down to applied the state the down to applied to the state the down to applied to a state the down to applied to a state the down to applied the down to applied the down to applied to applied to a state the down to applied the down to applied the down to applied the down to applied to application work application work applied to applied to ap

¹⁰ "poncisis your continued support regarding these proposals. Indi would value an opportunity to discuss van steps with you. Our common goal is to support economic growth in India, Instading key foreign wetness that will promote job prester, economic diversification and technology updates. Thank you for nor stors to ensure that we have the spectrimate investment dimute to facilitate tonework-loading "retriend business partnersings. Las Schoelers (Der Wassington - 202 420 9407) wit how up with rolf allow regarding scheduling A follow up discussion. In the interim, piesse do not hesitate to contact the time to of any assistance to you.

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TYPED VERSION OF ANDREW LIVERIS LETTER TO RONEN SEN

November 8, 2006 His Excellency Ronen Sen Ambassador Embassy of India 2197 Massachusetts Avenue, NW Washington, DC 2008

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Dear Mr. Ambassador:

It was a pleasure to see you again at the U.S.-India CEO Forum in New York on 25 October. I especially appreciated your support in discussing resolution of the Bhopal legacy issue as a tangible, deliverable outcome of the CEO Forum.

Given the statements made by the Government of India representatives in front of all meeting attendees that Dow is not responsible for Bhopal and will not be pursued by the GOI, it will be important to follow through to ensure that concrete, sustained actions are taken that are consistent with these sentiments.

Following our discussions, the key actions to achieve legacy issue resolution for Dow include:

- Remediation with the support of local Indian CEOs and foundations, there is opportunity now for the Government of India to work closely with the State of Madhya Pradesh and Indian Industry to remediate the Bhopal site. This should take place expeditiously – beginning immediately with GOI officials and industry leaders meeting with the relevant Cabinet Secretary who has executive oversight for the remediation efforts. GOI and state government will need to work with the Court overseeing sight clean-up to assure that this effort will pass legal muster as the site's final remediation plan.
- 2. Legal GOI leaders need to work with all Ministers of the central government to ensure that their stated position is reflected in any ans all of GOI's statements, legal files and dealings with the Indian Court system. The Dow Chemical Company has been sued in Public Interest Litigation in the High Court of Madhya Pradesh related to environmental remediation of the site. GOI and the state governments are also sued in those litigation, and the GOI has taken position adverse to Dow. Specifically the GOI Ministry of Chemicals and Fertilisers applied to the Court in May 2005 to order Dow to pay a deposit of Rs. 100 crores, or approximately US\$22 million, against environmental remediation costs. The Court has to date deferred the ruling on the merits of the application. It follows logically from the GOI's statements regarding the non-liability of Dow, that Ministry of Chemicals and Fertilizers should now withdraw its application for a financial deposit against remediation costs. Certainly a withdrawar of application would be positive, tangible demonstration that the GOI means what it says about Dow's lack of responsibility in the matter.

I appreciate your continued support regarding these proposals, and would value an opportunity to discuss next steps with you. Our common goal is to support economic growth in India, including key foreign investments that will promote job creation, economic diversification and technology updates. Thank you for your efforts to ensure that we have the appropriate investment climate to facilitate forward-looking investment and business partnerships. Lisa Schroeter (Dow Washington – 202 429 3407) will follow up with your office regarding scheduling A follow up discussion. In the interim, please do not hesitate to contact me if I may be of any assistance to you.

Sincerely yours

Andrew Liveris

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