

IN THE CIRCUIT COURT OF
PUTNAM COUNTY, WEST VIRGINIA

ZINA G. BIBB, et al. : CIVIL ACTION NO. 04-C-465
 :
 Plaintiffs :
 :
 v. :
 :
 MONSANTO COMPANY, et al. :
 :
 Defendants :

**NOTICE OF PROPOSED SETTLEMENT OF
MEDICAL MONITORING CLASS**

You may be entitled to free medical testing, known as “medical monitoring,” if you worked full time, attended school full time, or lived within a certain geographic area in Putnam and Kanawha Counties, West Virginia known as the “Medical Monitoring Area” between January 1, 1948 to September 30, 2010.

*The Circuit Court of Putnam County, West Virginia authorized this Notice.
This is not a solicitation from a lawyer.*

On February 24, 2012, the Court presiding over this lawsuit issued an Order preliminarily approving a Settlement for persons who worked full time, attended school full time, or lived within the geographic area in Putnam and Kanawha Counties, West Virginia known as the “Medical Monitoring Area” between January 1, 1948 to September 30, 2010. The Area is identified in the Map attached to this Notice as Exhibit A. The Settlement establishes a Medical Monitoring Program and Fund that provides eligible members of the Medical Monitoring Class with free medical monitoring at Thomas Memorial Hospital in South Charleston, West Virginia, subject to the terms and conditions of the Medical Monitoring Class Settlement Agreement and the Medical Monitoring Program established thereunder.

You should examine the Map closely. If you did not work full time, attend school full time, or live within the Medical Monitoring Area designated by the Map, you will not be eligible for benefits under the Medical Monitoring Program, even though you are a Class Member. If this Settlement is approved by the Court, all Class Members (even those not eligible for benefits under the Program) will release the Defendants for all medical monitoring claims, in return for which the Defendants have agreed to pay for medical monitoring for those eligible members.

The Court still has to decide whether to issue final approval of the Settlement. The medical monitoring will only be provided if the Court approves the Settlement and after appeals, if any, are resolved.

Your legal rights are affected whether you act or don’t act. These rights and options — and the deadlines to exercise them — are explained in this Class Notice. Please read it carefully.

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS
MEDICAL MONITORING SETTLEMENT:**

<p>PROVIDE NOTIFICATION OF YOUR INTENTION TO REGISTER AND PARTICIPATE IN THE FREE MEDICAL MONITORING PROGRAM</p>	<p>If you think you might want to register for and participate in the Medical Monitoring Program, you should send notification of your intention in the manner specified in Section 6 below. If you do not do so, you will receive no further notices about the Program. If the Court approves the Settlement, you will receive notice of the commencement of the Medical Monitoring Program by first-class mail and you will have 120 days thereafter to sign up.</p>
<p>OBJECT TO THE PROPOSED SETTLEMENT</p>	<p>Write to the Court about why you don't like the settlement. Your objections must be in writing and postmarked not later than June 7, 2012. If you are a member of the Medical Monitoring Class, you have standing to object.</p>
<p>GO TO THE FAIRNESS HEARING</p>	<p>Ask to speak in Court about the fairness of the Settlement. You may not speak unless have asked to do so in writing before June 7, 2012</p>
<p>DO NOTHING NOW, DON'T OBJECT, AND DON'T PARTICIPATE IN THE MEDICAL MONITORING PROGRAM</p>	<p>Participation in the Medical Monitoring Program is completely voluntary. Approval by the Court of the Settlement simply means that those eligible class members who wish to participate will have the opportunity to do so.</p>

1. BASIC INFORMATION

Certain persons living, working, or attending school in and around Nitro, West Virginia filed a lawsuit in 2004 in West Virginia state court alleging that their property and persons were contaminated by dioxins released at Monsanto Company's Nitro Plant located in Nitro, West Virginia, which is no longer operational (the "Plant"). Specifically, Plaintiffs in the lawsuit allege that waste disposal practices at the Plant between 1948 and 1969 resulted in widespread dioxin contamination in the Class Area. The Defendants deny that any such contamination occurred. Nonetheless, the Parties to the lawsuit have reached a preliminary Settlement. As part of that Settlement, the Parties are required to notify certain affected persons (*i.e.*, the Medical Monitoring Class) of the Settlement, their right to participate in the Medical Monitoring Program established under the Settlement, if it is approved by the Court, and their right to object to the Settlement.

This Class Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of this case directed that this Class Notice be provided to you because you have a right to know about a proposed Settlement of the Medical Monitoring Class before the Court decides whether to issue final approval of the Settlement. This Notice provides details on what options you have in response to this Settlement, and how to claim benefits provided by the Settlement.

2. DOES THIS NOTICE PERTAIN TO ME?

This Notice pertains to you if you are a member of the Medical Monitoring Class. You are a member of the Medical Monitoring Class if you worked full time, attended school full time or lived within the Class Area displayed on the Map, between January 1, 1948 and September 30, 2010. However, only those Class Members who meet the Entry Criteria will be eligible to participate in the Program. To determine if you are eligible to participate in the Medical Monitoring Program, follow the directions contained in Section 7 below.

3. WHAT IS A CLASS ACTION?

In a class action, one or more people called “Class Representatives” sue on behalf of a group of people with similar claims. All of these people together are called the “Class” or “Class Members.” One Court resolves the issues for all Class Members.

4. WHY IS THERE A SETTLEMENT?

A settlement is not an admission of any wrongdoing by the Defendants. The Court or a jury did not make any decision in favor of the Plaintiffs or the Defendants. Instead, the two sides agreed to settle. By settling, they both avoid the risks, delays, and costs of a trial, and the Medical Monitoring Class Members will get what they sued for: free medical testing paid for by the Defendants. The Parties in the case and their attorneys believe this Settlement is the best option for everyone in the Medical Monitoring Class.

5. OVERVIEW OF THE MEDICAL MONITORING PROGRAM

As part of the proposed Settlement, Defendants have agreed to fund a Medical Monitoring Program. The Medical Monitoring Program is designed to screen those members of the Medical Monitoring Class who choose to participate in the Program (“Participants”). It is based in large part on the Medical Monitoring Program recommended by the Class’s own expert. It is important to remember that the Program is restricted by law to screening for latent (asymptomatic) and previously undiagnosed diseases. The Medical Monitoring Program consists of three phases. First, eligibility for medical monitoring benefits will be determined by the Registration Administrator described in Section 6. Second, eligible persons will receive screening with the Thomas Healthcare System, which will include the following tests: Serum Dioxin, Fasting Glucose, Hemoglobin A1C, Fasting Lipid Profile, Erythrocyte Sedimentation Rate, and CBC with Differential. The Participants will also receive a History and Physical Examination. Third, reports summarizing the results of such tests will be sent to Participants and/or the Participant’s primary care physician at the Participants’ election. Additional medical screenings will be conducted every five years for a total of 30 years. Each of these screening intervals is known as a “Screening Period.” Participants are not required to participate in every Screening Period. However, they must register for the initial screening period to receive notice of, and participate in, any subsequent screening period.

The base funding for the program will be \$21 million but Defendants will be responsible for additional contributions totalling \$63 million, should certain benchmarks regarding Participants’ serum blood dioxin levels be exceeded. Also, for any single Screening Period where the benchmarks are exceeded, the next Screening Period will occur in two years instead of five.

6. HOW TO RECEIVE MEDICAL MONITORING

If you think you might be interested in registering for and participating in the Medical Monitoring Program, you should provide notification of your interest on or before June 7, 2012. You may do that by going to: www.BibbClass.com or by calling 1-877-552-1274 or write: Bibb Medical Monitoring Class, PO Box 1031, Minneapolis, MN 55440-1031 so that your contact information may be recorded so that you will receive notification of settlement approval and registration information to participate in the medical monitoring program. If you do not provide notification now, you will not receive further notices concerning the Program.

If the Court approves the Settlement, notice will be sent by first-class mail to those who have provided notification as specified above. The notice will give you important information on how to sign up. The first step, eligibility determination, will be done by your filling out a Questionnaire provided by the Registration Administrator. The Registration Administrator will carefully review your Questionnaire and determine whether you are eligible to participate in the Medical Monitoring Program. To obtain the Questionnaire, you must visit the Registration Location (the specific location will be set forth in the notice) or visit the Nitro Class Settlement Website located at www.BibbClass.com, which will contain helpful information and Questionnaires. To participate in the initial screening, and any subsequent screening, all Questionnaires must be completed and turned in during the initial Registration Period, which will last for 120 days following Final Approval of the Settlement.

7. HOW DO I KNOW IF I AM ELIGIBLE?

The eligibility criteria are set forth in the Settlement Agreement. They are based on the scientific evidence presented by the attorneys representing the Class Members and their experts. To be eligible, you must fall within one of the groups listed in Exhibit B to this Notice. The Class contends that if you fall into one or more of those groups you may be at an increased risk of disease and therefore should get the medical testing done. Also, to be eligible, you must never have worked at the Defendants' Nitro Plant.

8. WHEN WILL MEDICAL MONITORING BEGIN?

Participants will begin receiving medical monitoring screening after the initial Registration Period ends. Appointments with the Thomas Healthcare System will be scheduled by the Registration Administrator during the registration process once eligibility has been determined. You will have 150 days from the end of the Registration Period within which to get your tests done.

9. RELEASE OF CLAIMS AGAINST DEFENDANTS AND OTHER PARTIES

If you are a member of the Medical Monitoring Class and did not opt out of the Class, Final Approval by the Court of the Settlement will result in the dismissal of all medical monitoring claims you may have against the Defendants. In return for the dismissal of all claims Defendants have agreed to fund the Medical Monitoring Program.

10. THE LAWYERS REPRESENTING YOU

The Court previously ordered that W. Stuart Calwell, Jr., Esquire, of The Calwell Practice, Pllc, will represent you and the other Class Members. This lawyer and the law firm are called "Class Counsel." If you want to be represented by your own lawyer, you may hire one at your own expense.

11. HOW WILL CLASS COUNSEL BE PAID?

Class Counsel will ask the Court for an award of attorneys' fees and reimbursement of expenses, which the Court will consider at the Fairness Hearing described in Section 12. The amount of attorneys' fees and costs awarded to Class Counsel by the Court are separate and apart from any benefits made available to the Medical Monitoring Class and will not affect in any way the Settlement benefits to which you are entitled. Class Counsel has petitioned the Court for an award of fees up to \$20,250,000 and for reimbursement of direct case costs of up to \$5,000,000. Defendants have agreed to pay up to those amounts should the Court find the request for fees and costs fair and reasonable. Class Counsel's petition for fees and costs and the justifications supporting the request may be reviewed at www.BibbClass.com.

12. OBJECTING TO THE SETTLEMENT

If you are a member of the Medical Monitoring Class, you can object to the Settlement or the award of attorneys' fees and costs, if you wish. You must do so in writing and must include the reasons why you think the Court should not approve the Settlement or an award of attorneys' fees and costs. The Court will consider your views.

To object, you must send a letter saying that you object to the proposed Settlement in the *Bibb v. Monsanto Co.*, NO. 04-C-465 litigation. You must include your name, address, telephone number, and your signature. You must also state facts to support your claim that you are a member of the Medical Monitoring Class (as described in Section 2) and the reasons why you object. Mail copies of the objection to each of the following addresses, postmarked no later than June 7, 2012:

Clerk of the Court
Circuit Court of Putnam County,
West Virginia
3389 Winfield Road
Winfield, WV 25213-9354.

13. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

The Circuit Court of Putnam County, West Virginia will conduct a Fairness Hearing to determine whether the Settlement is fair, reasonable, and adequate. The Court will consider statements by those who have asked to speak at the hearing, either objecting to the Settlement or in favor of it. The Court may also decide how much to pay to Class Counsel. After the Fairness Hearing, the Court will decide whether to issue final approval of the Settlement.

The Fairness Hearing will take place on June 18, 2012, at 9 a.m., in Courtroom # 1, at the Putnam County Courthouse located at 3389 Winfield Road Winfield, WV 25213-9354.

Please do not call the Court or the Judge about this case.

14. MAY I SPEAK AT THE HEARING?

You may attend the hearing (at your own expense) and you may ask to speak, but you don't have to. Class Counsel and Defense Counsel will answer any questions the Court may have. You may also pay your own lawyer to attend, but it's not necessary.

If you would like to speak at the Fairness Hearing, you must include with your written objection (described in Section 11) the statement, "I hereby give notice that I intend to appear at the Fairness Hearing in *Bibb v. Monsanto Co.*" Be sure to include your name, address, telephone number, and your signature. This is your Notice of Intention to Appear. If you intend to have any witnesses testify or to introduce any evidence at the Fairness Hearing, you must list the witnesses and evidence in your written objection.

Your Notice of Intention to Appear must be postmarked no later than June 7, 2012, and be sent to the Clerk of the Court at the address above.

15. IF YOU DO NOTHING

If you think you might want to register for and participate in the free medical testing, you should provide notification of your intention as specified in Section 6 above. If you do not do so, you will not receive further notification about the Program. If the Court approves the Settlement, you and your neighbors will have a chance to register for and participate in the Program. If you have notified the claims administrator as specified in Section 6 above, within 60 days of Final Approval of the Settlement, you will be sent registration directions. **If you do not notify the claims administrator of your intention to participate before June 7, 2012, it will be your responsibility to find out if the settlement has been approved. No further notice will be sent to you.**

16. GETTING MORE INFORMATION

This Class Notice summarizes the proposed Settlement. For full details, you may review the Medical Monitoring Class Settlement Agreement and all exhibits appended thereto filed with the Court, which may be obtained by visiting The Nitro Class Settlement Website at www.BibbClass.com. You may also inspect copies of the documents during business hours at the Circuit Court of Putnam County, West Virginia, 3389 Winfield Road, Winfield, WV 25213-9354. Any other questions should be directed to Class Counsel.

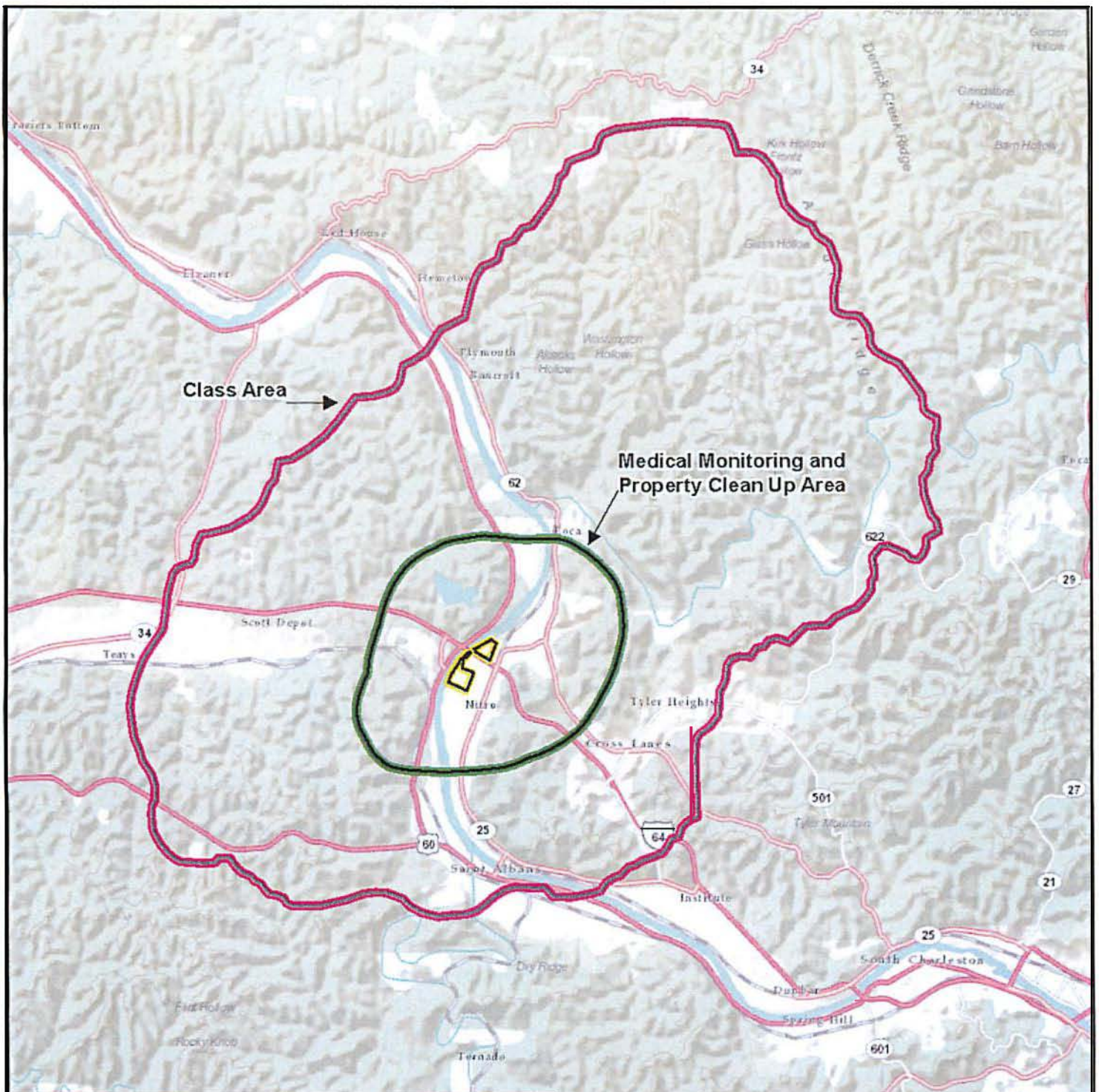


EXHIBIT A
Class Area and Medical Monitoring /
Property Clean Up Area

-  Class Area
-  Medical Monitoring and Property Clean Up Area

0 1.25 2.5 3.75 5 Miles
 1 inch = 2.5 miles if this map is printed
 at a paper size of 8.5 x 11 in.



EXHIBIT B
ELIGIBILITY CRITERIA GROUPS

1. Children full time residents for at least 3 years (1948 - 1968): All class members who resided full time (for at least 11 months of any given year) for at least three years within the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 1 to 7 at the time.
2. Combined Children/Adult full time residents for at least 6 years (1948 - 1968): All class members who resided full time (for at least 11 months of any given year) for at least six years in the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 1 to 31 at the time.
3. Adult full time residents for at least 6 years (1948 - 1968): All class members who resided full time (at least 11 months of any given year) at least six years in the geographical area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 18 years and older at the time.
4. Children Attending Nitro Schools full time for at least 13 years (1948 - 1968): All class members who attended schools full time (for the full school year) for at least 13 years within the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 1-18 at the time.
5. Workers who worked full-time at least six years (1948 - 1968): All class members who worked full time (at least 40 hours per week) for at least six years within the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 18 and older at the time.
6. Children who resided full time for at least 6 years (1969 – September 30, 2010): All class members who resided full time (at least 11 months of any given year) for at least six years within the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1969 to September 30, 2010 and were ages 1-7 at the time.
7. Children and Adults who resided full time for at least 30 years (1969 – September 30, 2010): All class members who resided full time (at least 11 months of any given year) for at least 30 years within the geographical area delineated in Exhibit A (Medical Monitoring Area) between the years 1969 – September 30, 2010, and were ages 1-31 at the time.
8. Children and Adults who resided full time (pre-1969 and later years): All class members who meet both of these criteria: (1) resided full time for at least 3 months in the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 1-7 at the time; and (2) resided full time (at least 11 months of any given year) for at least 3 years in the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1969-1976 and were ages 1-7 at the time.
9. Adults who resided full time (pre-1969 and later years): All class members who meet both of these criteria: (1) resided full time for at least 18 months within the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1948-1968 and were ages 18 years and older at the time; and (2) resided full time (at least 11 months of any given year) for at least 10 years in the geographic area delineated in Exhibit A (Medical Monitoring Area) between the years 1969 – September 30, 2010 and were 18 years and older at the time.