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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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In re:

“AGENT ORANGE”
PRODUCT LIABILITY LITIGATION

MDL 381

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THE VIETNAM ASSOCIATION FOR VICTIMS
OF AGENT ORANGE/DIOXIN, et al.,

04 CV 0400 (JBW)

Plaintiffs,

-against-

**PLAINTIFFS'
APPENDIX**

THE DOW CHEMICAL COMPANY, et al.,

Defendants.

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PLAINTIFFS' APPENDIX

For the convenience of the Court, Plaintiffs annex hereto certain difficult to obtain materials which are referred to in Plaintiffs Memorandum of Law in Opposition to Defendants' Motion to Dismiss All Claims for Lack of Subject Matter Jurisdiction and for Failure to State a Claim Under the Law of Nations.

1. Memorandum from Myron C. Cramer, Judge Advocate General, for the Secretary of War, SPJGW 1945/164, march 1945 and Letter from J. Fred Buzzhardt, General Counsel for the Department of Defense to J.W. Fulbright, Chairman, Senate Comm. on Foreign Relations, April 5, 1971, reprinted at 10 I.L.M. 1300-1306.

2. Samples of EPA warning labels required for domestic sale and use of the defendants' commercial products containing 2,4,5-T, 2,4-D, Picloram and Cacodylic Acid, as referred to in the Amended Complaint.

3. "U.S. Spray Strips Foliage Hiding Vietnam Reds," Homer Bigart, The New York Times, January 19, 1962, p. 4.

4. "Weed Killers Aid War on Vietcong," Jack Raymond, The New York Times, March 28, 1965, p. 2.

5. "U.S. Spray Planes Destroy Rice in Vietcong Territory," Charles Mohr, The New York Times, December 21, 1965, p. 1.

6. "U.S. Tells of Crop Destruction in South Vietnam," UPI, The New York Times, March 10, 1966, p. 9.

7. "U.S. Will Step Up Defoliation Missions in Vietnam," William Beecher, The New York Times, September 10, 1966, p. 2.

8. "Chemical Warfare in Vietnam Called a Failure," Thomas O'Toole, Washington Post, November 13, 1967, p. A2.

9. "Use of Herbicides by U.S. in Vietnam Defended," Walter Sullivan, The New York Times, January 4, 1968, p. 2.

10. "U.S. to Expand Defoliation in South Vietnam," AP, The Washington Post, May 12, 1968, p. A17.

11. "Pentagon Defends Use of Herbicide on Vietcong Rice Crops," Thomas O'Toole, The Washington Post, August 8, 1968, p. E6.

12. Report to Secretary of the Department of Veterans Affairs on the Association

Between Adverse Health Effects and Exposure to Agent Orange, As Reported by Special
Assistant Admiral E.R. Zumwalt, Jr., May 5, 1990.