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KENNETH J. MURPHY  
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IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION  
U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
EAST DIV. COLUMBUS

PPG INDUSTRIES, INC., :  
 :  
 Plaintiff, :  
 :  
 v. : CASE NO. C-2-79-437  
 :  
 USEPA, et al., :  
 :  
 Defendants. :

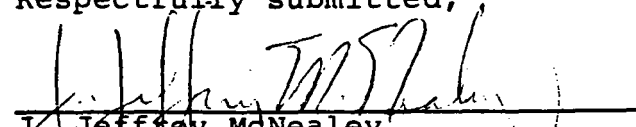
STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, PPG Industries, Inc., hereby voluntarily dismisses the above-captioned action as to Defendants Ohio Environmental Protection Agency and James F. McAvoy, Director of the Ohio Environmental Protection Agency, succeeded by Steven J. Grossman, currently Acting Director of the Ohio Environmental Protection Agency (the State Defendants) without prejudice. Plaintiff has not previously dismissed an action based on or including the same claim in any court of the United States or of any state.

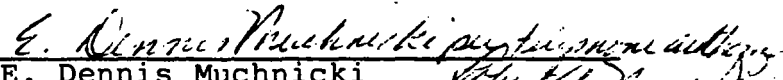
Also, pursuant to Rule 41(a)(1), the State Defendants hereby voluntarily dismiss their counterclaim against Plaintiff without prejudice. The State Defendants have not previously dismissed an action based on the same claim in any court of the United States or of any state.

The captioned action is not dismissed as to the United States Environmental Protection Agency and the named officers and employees thereof. All parties who have appeared in this action have signed this Stipulation of Dismissal.

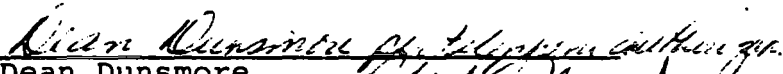
Respectfully submitted,

  
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