

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY, :  
 :  
 Plaintiff, :  
 :  
 v. :  
 : Civil Action No. 05-737-JJF  
 NOVA CHEMICALS CORPORATION :  
 (CANADA), and NOVA CHEMICALS :  
 INC. (Delaware), :  
 :  
 Defendants. :  
 :

O R D E R

At Wilmington, this 24 day of September 2009, for the reasons discussed in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that the term "homogeneously branched linear ethylene/ $\alpha$ -olefin interpolymer" means "ethylene  $\alpha$ -olefin interpolymer in which the comonomer is randomly distributed within a given interpolymer molecule and wherein substantially all of the interpolymer molecules have the same ethylene/comonomer ratio within that interpolymer. Such interpolymer has no long chain branching."

  
UNITED STATES DISTRICT JUDGE