

EXHIBIT E

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAYNE PALMISANO, et al.,)
)
 Plaintiffs,)
)
 -vs-) CASE NO. C 03-01607 RMW
)
 OLIN CORPORATION, et al.,)
)
 Defendants.)
)
 -----)
 AND RELATED CASES.)
 -----)

CERTIFIED COPY

VIDEOTAPED DEPOSITION OF DAVID L. BAUER

DATE: March 4, 2005

TIME: 9:11 a.m.

LOCATION: DUANE MORRIS, LLP
One Market, Spear Tower
Suite 2000
San Francisco, California

REPORTED BY: Joanmarie Torreano, CSR, CRR, CRP
Certified Shorthand Reporter
License Number C-6504



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1 there that they could basically preclude a discharge 05:09:27p
2 that they felt was inappropriate has been adopted 05:09:32p
3 statewide, but with respect to perchlorate, I'm not 05:09:35p
4 sure. 05:09:41p

5 Q. Have any of the principles associated with that 05:09:41p
6 particular regional board set of findings been made a 05:09:44p
7 matter of statewide applicability by either any other 05:09:49p
8 regional board or by the State Water Resources Control 05:09:53p
9 Board? 05:10:00p

10 A. With respect to the impact to groundwater and 05:10:00p
11 groundwater monitoring -- in effect migrating to surface 05:10:01p
12 water, of materials that are considered to be 05:10:06p
13 conservative pollutants, I would say yes, categorically. 05:10:08p
14 With respect specifically to specific chemicals, I'm not 05:10:11p
15 sure. 05:10:13p

16 Q. Now, I'd like to ask you just a few questions 05:10:17p
17 about Standard Fusee. 05:10:22p

18 A. Go ahead. 05:10:23p

19 Q. Now, as I understand it your report has 05:10:27p
20 expressed no opinions whatsoever regarding the practices 05:10:30p
21 of Standard Fusee Corporation; isn't that correct? 05:10:34p

22 A. That is correct. 05:10:36p

23 Q. It's also my understanding that you have not 05:10:36p
24 been provided by counsel with any expert reports on 05:10:39p
25 behalf of Standard Fusee; isn't that correct? 05:10:41p

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1 A. That is correct. 05:10:42p

2 Q. Okay. Let me just to be clear, mention their 05:10:43p

3 names so that -- 05:10:46p

4 A. Okay. 05:10:47p

5 Q. -- we're clear on who those experts are. Jim 05:10:49p

6 Cowart, C-o-w-a-r-t? 05:10:52p

7 A. I am not familiar with that name. 05:10:55p

8 Q. Steve Larson, L-a-r-s-o-n? 05:10:59p

9 A. I know a Steve Larson, but I have not seen a 05:11:02p

10 report in this case. 05:11:06p

11 Q. Okay. So as you sit here today have you been 05:11:06p

12 asked to express any opinions whatsoever regarding the 05:11:08p

13 practices of Standard Fusee? 05:11:12p

14 A. I don't believe I have. 05:11:13p

15 Q. Okay. And have you been asked to do any work 05:11:14p

16 whatsoever in the future with respect to Standard Fusee 05:11:17p

17 in this case? 05:11:20p

18 A. Not specific to Standard Fusee, I don't believe 05:11:20p

19 I have. 05:11:24p

20 MR. CASTO: All right. I have no further 05:11:25p

21 questions. 05:11:26p

22 THE VIDEOGRAPHER: This ends today's deposition 05:11:27p

23 of David L. Bauer on March 4th, 2005. Total number of 05:11:30p

24 DVDs used was four. The master DVDs of today's 05:11:38p

25 deposition will remain in the custody of McMahon & 05:11:45p

DEPOSITION OF DAVID L. BAUER

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STATE OF CALIFORNIA)

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COUNTY OF SANTA CLARA)

ss.

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I, JOANMARIE TORREANO, a Certified Shorthand Reporter in and for the State of California, certify that the witness in the foregoing deposition,

DAVID L. BAUER,

was by me duly sworn to tell the truth, the whole truth and nothing but the truth in the within-entitled cause, and that the foregoing is a full, true and correct transcript of the proceedings had at the taking of said deposition, reported to the best of my ability and transcribed under my direction.

Date

Mar 24

, 2005

Joan Marie Torrea
CSR Number C-6504