

**UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

WADE E. JENSEN, and DONALD D. GOFF,
individually and on behalf of others
similarly situated,

Plaintiffs,

vs.

SOLVAY AMERICA, INC., SOLVAY
CHEMICALS INC., and SOLVAY
AMERICA COMPANIES PENSION PLAN,

Defendants.

Case No. 06 – CV – 273 (ABJ)

**NOTICE OF AGE DISCRIMINATION LAWSUIT CONCERNING PENSION BENEFITS
UNDER THE SOLVAY AMERICA COMPANIES PENSION PLAN AFTER 2005**

TO: All past and present employees of subsidiaries of Solvay America, Inc., who are age 40 or more as of February 8, 2008, and who were participants in the Solvay America Companies Pension Plan before January 1, 2005 and at any time after January 1, 2005 have been subject to Solvay’s “Retirement Account Balance Formula.”

INTRODUCTION

This Notice is to inform you about a pending lawsuit concerning your retirement benefits, advise you about how your rights may be affected by this suit, and inform you of the procedure to join this suit if you desire.

DESCRIPTION OF THE LAWSUIT

Two employees of Solvay Chemicals, Inc. have filed a lawsuit in U.S. District Court in Cheyenne, Wyoming, alleging that their retirement benefits were reduced because of their age in violation of the Age Discrimination in Employment Act (“ADEA”).

The employees contend that Solvay’s method of going from a pension formula that based retirement benefits on a percentage of average pay to a “cash balance” pension formula (the “Retirement Account Balance Plan”) caused older employees not to earn any additional pension benefits for years after the conversion. Plaintiffs allege that they and other employees are entitled to greater pension benefits from the Solvay America Companies Pension Plan. The Plaintiffs seek to recover those pension benefits and obtain damages for Solvay’s willful violation of the ADEA. The lawsuit also alleges violations of the Employee Retirement Income Security Act (“ERISA”).

Solvay denies the charges and denies that it discriminated against any employee based on age in connection with its adoption or administration of the Solvay America Companies Pension Plan.

COMPOSITION OF THE AGE DISCRIMINATION CLASS

The named Plaintiffs filed this lawsuit on behalf of themselves and other former or current Solvay employees who are similarly situated. Specifically, they are suing on behalf of all persons who:

1. Are current or former employees of subsidiaries of Solvay America, Inc., and
2. Were age 40 or more as of February 8, 2008, and
3. Participated in the Solvay America Companies Pension Plan before January 1, 2005, and have been subject to the "Retirement Account Balance Formula" on or after January 1, 2005.

YOUR RIGHT TO JOIN THIS SUIT

You may join in this suit if the definition described above covers you. To join, you must complete and mail the "Consent to Join" form enclosed with this Notice. The form should be mailed in the enclosed business reply envelope. If you use a different envelope, please address and mail it to:

Clerk of the Court
P.O. Box 1406
Cheyenne, WY 82003-1406

It is your decision whether to join the lawsuit. You are eligible to join in this case even if you have not filed a charge or complaint of age discrimination with a federal, state or local agency.

TIME LIMIT FOR FILING CONSENT TO JOIN

To be valid, a written "Consent to Join" must be filed with the Clerk of the Court no later than June 9, 2008.

EFFECT OF JOINING THIS SUIT

If you choose to join, you will be bound by the Court's judgment whether it is favorable or unfavorable. However, whether the Court rules for or against the Plaintiffs, your retirement benefits can never be any lower as a result of this lawsuit. While the suit is proceeding, you may be required to provide information about what happened to your pension benefits.

If you join the suit, you will not be required to pay any attorneys' fees directly. If the Plaintiffs prevail, the Plaintiffs' attorneys will apply to the Court for payment of reasonable attorneys' fees, which may be on the basis of a percentage, from the recovery.

The status of this case will be posted by Plaintiffs' attorneys from time to time at the website: <http://www.erisapensionclaims.com>.

EFFECT OF NOT JOINING

If you choose not to join this suit, you will not be affected by the Court's judgment on the age discrimination claims. This means that even if the Plaintiffs win their age discrimination claims, you will not receive any greater pension benefits or additional relief as a result of those claims.

If you choose not to join this suit, you are also free to file your own lawsuit. But you can obtain other relief only if you begin timely independent legal proceedings as described by the Age Discrimination in Employment Act.

YOUR LEGAL REPRESENTATION IF YOU JOIN

If you choose to join this suit, it is your decision whether you will be represented by the Plaintiffs' attorneys or by an attorney of your own choosing who you retain separately. The attorneys for the Plaintiffs are:

Stephen R. Bruce
805 15th St., NW
Suite 210
Washington, DC 20005
(Tel. 866-591-7255)
(e-mail: stephen.bruce@verizon.net)

Richard Honaker
Honaker Law Firm
214 Winston Drive
Rock Springs, WY 82901
(Tel. 866-591-7255)

HOW TO FILE THE "CONSENT TO JOIN" IF YOU CHOOSE TO JOIN THIS SUIT

Enclosed with this Notice is the "Consent to Join" form which is to be used if you wish to join this suit. This form must be completed, signed, and mailed to the Clerk of the Court on or before June 9, 2008. The form should be mailed in the enclosed business reply envelope. If you use a different envelope, please address and mail it to:

Clerk of the Court
P.O. Box 1406
Cheyenne, WY 82003-1406

Unless the Clerk receives the "Consent to Join" form dated on or before June 9, 2008, you may not be allowed to join in this case.

PROTECTION AGAINST RETALIATION

The Age Discrimination in Employment Act ("ADEA") prohibits Solvay or anyone else from retaliating against you for choosing to join in this case.

This Notice has been authorized by the United States District Court for the District of Wyoming, Hon. Alan B. Johnson, United States District Judge. The Court takes no position regarding the merits of the Plaintiffs' claims or Solvay's defenses at this time.