



## MEMORANDUM

TO: Mayor and Common Council  
FROM: <sup>PAC</sup> Pamela A. Captain  
SUBJECT: United States of America and The State of Wisconsin v.  
NCR Corporation et al., Case No. 10-C-910,  
U.S. District Court, Eastern District  
DATE: Thursday, October 14, 2010

Today a lawsuit was filed by the United States of America and the State of Wisconsin in the federal district court in Green Bay against various defendants including the Neenah-Menasha Sewerage Commission (NMSC). The complaint alleges the NMSC received PCB-containing wastewater from several facilities – including the WTM Facility, the John Strange Facility, and the Kimberly Clark Neenah and Badger Gloge Facilities and in turn discharged partially treated PCB-containing wastewater from those facilities to the Lower Fox River. In their claim for relief they seek, among other things, judgment for unreimbursed response costs and damages resulting from releases of hazardous substances.

The various defendants include: NCR Corporation, Appleton Papers, Inc., City of Appleton, CBC Coating, Inc., Georgia-Pacific Consumer Products LP, Kimberly-Clark Corporation, Menasha Corp., Neenah-Menasha Sewerage Commission, Newpage Wisconsin Systems, Inc., P.H. Glatfelter Co., U.S. Paper Mills Corp. and WTM I Company.

Further updates will be provided as they occur.