

Lawsuit Update -- Judge Denies New Trial

On June 17, 2004, a Denver District judge denied the plaintiffs' request for a new trial for environmental impacts on a neighborhood near the former Redfield site. The ruling upholds a Colorado State Court jury verdict on December 8, 2004, of no damages for loss of property values and no punitive damages. The jury entered a verdict against Brown Retail of approximately \$1 million for non-economic damages.

Brown Retail remains committed to continuing its work to address environmental issues through the installation of ventilation systems in affected homes and through on and off-site remediation systems approved by the Colorado Department of Public Health and Environment. See *Company Statement on Lawsuit Verdict*, on the Web site dated December, 9, 2004 for more information.