

FOR IMMEDIATE RELEASE
April 17, 2006

CONTACT: Deborah Muchmore
517-372-4400

Nestlé Waters North America submits response to Michigan Supreme Court, Urging Denial of Application for Appeal on Water Case

Stanwood, Mich. — Nestlé Waters North America (Nestlé Waters) today submitted legal documents to the Michigan Supreme Court, urging the Court to deny a recent application by plaintiffs in a case with the bottler seeking to overturn the legal principles decided by the Court of Appeals.

Recent actions by the Michigan Court of Appeals and state lawmakers have affirmed Michigan's historic water use law and established strict rules protecting Michigan's water resources and regulating new or increased water withdrawals by all water users, including water bottlers. A November 2005 Court of Appeals ruling agreed with the position taken by Nestlé Waters, affirming that Michigan's water law is based on the principles of reasonable use and the balancing the equal rights of all water users.

"Michigan's courts have recognized that the state's historic water laws protect the rights of property owners, and stand in the best interest of the state, its property owners, job providers, economic stability and the environment," said Michael Haines, attorney for Nestlé Waters with the Grand Rapids law firm of Mika Meyers Beckett and Jones. "Plaintiff's application to the Supreme Court in this case seeks to upend these long-held rights; Nestlé Waters opposes this and will pursue options to protect its rights as a Michigan manufacturer and property rights holder."

Plaintiffs misleadingly argue that their legal proposals, if accepted, would protect and advance property rights. But in fact, their theories, if accepted, would represent a radical assault on the rights Michigan property owners have come to expect.

"The direction in which plaintiffs seek to take water law as it relates to property rights in this state is alarming," said Haines. "They attempt to distort established doctrines to create new law that would interfere with property rights and harm the economy without corresponding benefit to the environment."

It is not known when the Supreme Court will decide whether it will accept the case.

###