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PRESERVE THE DUNES, INC.

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FOR IMMEDIATE RELEASE

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On Monday, September 9, 2002, the Michigan Court of Appeals issued a temporary injunction prohibiting TechniSand from mining within the critical dune area at the Nadeau Site in Hagar Township, Michigan. Sand outside the critical dune area can be mined and sand already removed from the critical dune area that is stockpiled on site can be removed from the site.

In 1998 Preserve the Dunes (PTD) filed suit in Berrien County trial court to prevent expansion of mining into a critical dune area at the "Nadeau Site." PTD has maintained that the sand dune mining law as amended in 1989 prohibits mining in critical dune areas with only two exceptions — neither of which applies to TechniSand. To be allowed to expand into a critical dune area, the operator must have owned the property in July 1989 and have had a permit to mine adjacent property. TechniSand did not exist until 1991. It does not meet these requirements.

After an unfavorable ruling in trial court, PTD filed its appeal in January 2001. In January 2002, when TechniSand was preparing to start mining, PTD filed a motion with the court for a temporary injunction to prevent the start of mining, and at the same time, requested that the case be expedited. The motion for an injunction was denied, but the case was placed on an expedited calendar and oral arguments were made April 10, 2002. By then TechniSand had already cleared vegetation and top-soil from an area within the critical dunes in preparation for removing the sand.

Four months later, in August, when the court had not ruled and TechniSand had already removed substantial amounts of sand from the critical dune area, PTD renewed its motion for an injunction. The court responded Monday by granting the motion for the injunction.

Charles Davis, President of PTD said "We are elated and hope this injunction is a precursor to a ruling that permanently protects these critical dunes from destruction. The law is very clear. It's hard to understand how the DEQ ever permitted this mining."

Preserve the Dunes, Inc. is a not-for-profit, grass roots organization whose purpose is to protect the sand dunes of western Michigan from destruction by sand dune mining and over development. Founded in 1997 PTD has 1,100 members and supporters.

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Pleadings can be found on-line at <http://www.daac.com/sosdunes>.