

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

BEFORE THE COURT-APPOINTED REFEREE  
IN RE THE LIQUIDATION OF THE HOME INSURANCE COMPANY  
DISPUTED CLAIMS DOCKET

In Re Liquidator Number: 2011-HICIL-50  
2011-HICIL-51  
Proof of Claim Number: GOVT18901-11  
GOVT18901-12  
Claimant Name: Arizona Property and Casualty  
Insurance Guaranty Fund

AFFIDAVIT OF MICHAEL E. SURGUINE ON BEHALF OF CLAIMANT  
ARIZONA PROPERTY AND CASUALTY INSURANCE GUARANTY FUND

State of Arizona )  
) ss.  
County of Maricopa )

1. I am over the age of 18 and I am a resident of Arizona. I am the Executive Director of the Arizona Property and Casualty Insurance Guaranty Fund (the "Fund"), claimant in the above-captioned matter. The following is based on my personal knowledge and the business records of the Fund.

2. From inception of the insolvency of The Home Insurance Company ("Home"), the Fund has incurred and allocated to The Home Insurance Company in Liquidation (the "Home in Liquidation") \$798,464.26 in administrative expense. Of said amount, \$88,139.58 is attributable to membership fees paid by the Fund to the National Conference of Insurance Guaranty Funds ("NCIGF").

3. In a Partial Notice of Determination dated October 20, 2006 regarding the Fund's Proof of Claim No. GOVT18901-02, the Liquidator allowed the Fund \$163,806.95 in administrative expenses reported by the Fund from inception to December 31, 2005 in Class I. The Fund agreed to that determination. In a Notice of Partial Determination dated November 22, 2006 regarding the Fund's Proof of Claim No. GOVT18901-04, the Liquidator disallowed \$11,104.60 of certain administrative expenses submitted by the Fund as Class I priority and instead allowed said amount as a Class V priority claim. Those administrative expenses were attributable to membership fees paid by Claimant to NCIGF. The Fund timely notified the Liquidator of its objection to that determination.

4. With respect to administrative expenses from January 1, 2006 through September 30, 2010, which is the basis for the Fund's Proof of Claim No. GOVT 18901-11 at issue in this

proceeding, in its Notice of Partial Determination dated July 12, 2011, attached hereto as Exhibit A, the Liquidator allowed \$31,000 for each of 2008 and 2009 (after “removing” expenses for NCIGF dues and investment management fees from the administration expense claim), although the Fund had claimed expenses of \$254,982.76 and \$166,868.92, respectively, in those years. The basis for such determination by the Liquidator was that the administrative expenses submitted by the Fund for 2008 and 2009 were significantly higher than the \$31,084 amount which the Fund had submitted in 2007, and that such increase was attributable to an increase in the number of open claims reported by the Fund in 2008 and 2009. As described below, the Liquidator disagreed with how the Fund determined the number of open claims for 2008 and 2009. Separate and apart from the reductions for NCIGF dues and investment management fees, this resulted in a disallowance of \$223,982.76 for 2008 and \$135,866.92 for 2009 – a total disallowance of \$359,851.68. The Liquidator’s stated reason for this disallowance, and a work sheet summarizing the administrative expenses for the years 2006 through 2010, is set forth in correspondence from James Hamilton dated May 12, 2011 and December 24, 2009, copies of which are attached hereto as Exhibits B and C.

5. The Fund allocates its administrative expenses to open insolvency cases. The method of allocation is based on the number of open claims. An allocation percentage for each open receivership estate is determined by dividing the number of open claims for a specific insolvency by the total population of open claims being handled by the Fund. The total of the administrative expenses incurred by the Fund is then multiplied by the allocation percentage for each estate, and the product is reported to the Liquidator as the Fund’s administrative expense for the applicable period. The allocation percentages are recalculated each quarter.

6. By “open claim” the Fund means that a claim that was opened because there was a demand for coverage under a policy issued by an insurer for which the Fund has been activated, and the claim has not yet been fully resolved. Generally, one claim is opened for each incident or occurrence with regard to which a demand for coverage is made. If the demand for coverage arising out of an incident or occurrence could trigger coverage under more than one policy issued by the insolvent insurer, then a separate claim is opened as to each policy, as each policy requires a separate evaluation of coverage, declarations, conditions and endorsements. The Fund is obligated to respond to the party seeking coverage, to investigate the matter and to make a determination as to whether Fund coverage applies to the claim.

7. In February 2008 the Fund received written notices from Western Refining, Inc. (“Western”), of forty (40) separate lawsuits filed against Western’s subsidiary Giant Industries, Inc. (“Giant”), which was an insured under a Home general liability policy for the period from August 3, 1980 to August 3, 1981 and another Home general liability policy for the period from August 3, 1982 to August 3, 1983 (the “Home Policies”). A copy of one of these notice letters is attached hereto as Exhibit D. The notices for the other claims were substantially similar to Exhibit D. Those 40 lawsuits against Giant (the “Giant Claims”) were filed in a number of jurisdictions and each of the 40 suits involved separate alleged occurrences of MTBE pollution.

8. On or about March 4, 2008, after Western demanded coverage from the Fund with respect to the Giant Claims, the Fund opened eighty (80) claim files, forty (40) claims under each of the two Home Policies, because each lawsuit represented an unpaid claim, and could therefore

constitute a covered claim under the Fund's enabling act, and because each lawsuit potentially triggered coverage under each of the Home Policies.

9. The Fund's senior adjuster reviewed each complaint against Giant, and reviewed policy information from the Liquidator including information concerning any pollution exclusion clause. The Fund made a determination to deny the Giant Claims separately for each claim on the ground that the claims were filed after the bar date asserted by the Fund pursuant to a resolution of the Fund's Board of Directors. The Fund took the position in denying the claims that the bar date applicable to the claims was June 13, 2004 (the Liquidator's bar date).

10. Most of the Giant Claims were denied on March 5, 7, 10, 11, 12 and 14, 2008. A copy of one of the letters in which the Fund informed Western of the denial of coverage for these claims is attached hereto as Exhibit E. The other letters denying the Giant Claims were substantially similar to Exhibit E. With respect to the Giant Claims, the Fund informed Western in those letters that because "notice of this loss was not received prior to the bar date [of June 13, 2004 as established by the Home Liquidation Order], it is deemed late" and the Fund "will not be able to extend coverage...." The Fund also informed Western that "[t]he Fund reserves all statutory and/or policy defenses it may have in connection with this matter, whether stated or not in this letter" and "reserves its rights to modify its coverage position at any time upon receipt of additional information.

11. Although the Fund initially denied the Giant Claims based on the assertion that the claims were time barred, the Fund also expressly reserved the right to assert policy defenses and undertook to consider those defenses as to each of the forty lawsuits under each of the Home Policies. Moreover, it appears from the docket numbers assigned to the lawsuits and the returns of service on file in those cases that at least 31 of the 40 Giant Claims were not known until after June 13, 2004. See Exhibit F. Thus, at least 31 of the 40 Giant Claims would not be time barred even if the Fund were to prevail in its position that the bar date for claims against the Fund was June 13, 2004, because the Arizona bar date statute only applies to "known" claims.

12. Western refused to agree that the Fund's position that the Giant Claims were time barred was correct. In April 2008, Western filed a declaratory judgment action against several insurers and the Fund in which Western alleged, among other things, that the Fund was obligated to provide coverage for the Giant Claims under the Home policies (the "Western Action"). A copy of those portions of the Complaint in the Western Action which relate to the Fund is attached as Exhibit G.

13. In June 2008 Western's counsel informed the Fund of the basis for Western's disagreement with the Fund's position that the Giant claims were time barred and indicated that Western was prepared to stay the Western Action as to the Fund while Western pursued coverage for the Giant claims from other parties, including defendant (American International Group's ("AIG")). See copy of correspondence from Western's counsel Phillip G. Hunsucker, dated June 25, 2008 attached hereto as Exhibit H.

14. On September 3, 2008, after informing Western of its intentions, the Fund filed a summary judgment motion in the Western Action, seeking a ruling that the Giant Claims were time barred. A copy of that motion is attached hereto as Exhibit I. See copy of email of Phillip

G. Hunsucker, dated August 26, 2008, attached hereto as Exhibit J. Western did not file response papers with respect to that motion because discussions commenced soon thereafter concerning a settlement proposal that Western had made to the Fund that was contingent on Western reaching a settlement with AIG. See copy of email of Phillip G. Hunsucker, dated September 17, 2008, attached hereto as Exhibit K.

15. On September 18, 2008 Western's counsel reported to the Fund that a settlement with AIG had not been finalized. At that time Western informed the Fund that it planned "to oppose the Fund's motion based on the statutory language in Section 20-679, which on its face only gives [the Fund] authority to bar 'known claims.'" See copy of email of Phillip G. Hunsucker, dated September 18, 2008, attached hereto as Exhibit L. On September 22, 2008, the Fund agreed to extend Western's time to respond to the Fund's summary judgment motion.

16. On October 1, 2008 the Fund confirmed that it was willing to agree to the terms of Western's proposed settlement of Western's claims against the Fund, which settlement was contingent on Western finalizing its settlement with AIG, and that Western's deadline for responding to the Fund's summary judgment motion was being extended for an additional thirty (30) days. See copy of email of the Fund's counsel Ryan J. Talamante, dated October 1, 2008, attached hereto as Exhibit M.

17. In late October 2008, there was still no resolution with AIG, and Western asked the Fund for another 30 day extension to respond to the motion for summary judgment, which extension was granted. In November 2008, the Fund's counsel prepared a draft settlement agreement and sent it to Western's counsel who executed it on December 3, 2008. Pursuant to that agreement, the Fund withdrew its motion for summary judgment and Western dismissed the Fund from the Western Action. On January 23, 2009 the Fund received the order of dismissal as to the Fund. The Fund processed final invoices from its counsel in early February 2009 and closed all the files regarding the Giant Claims on June 3, 2009.

18. With respect to administrative expenses attributable to membership fees paid by the Arizona Fund to NCIGF in the amount of \$75,881.97 for the period from 2006 to 2010, which were the basis for for the Arizona Fund's Proof of Claim No. GOVT 18901-12 at issue in this proceeding, in its Notice of Partial Determination, dated July 12, 2011 and attached hereto as Exhibit N., the Liquidator allowed \$27,674.53. The Liquidator's stated reason for disallowing \$48,207.44 of the NCGIF dues paid was that the dues reported in the first quarter of 2009 were 10 times the amount reported in 2008. See Exhibit B. The Liquidator also stated that the expense for NCGIF dues "does not appear to meet the definition of Class I administration expenses" and that the amount allowed will be as a Class V claim.

19. The Fund has received substantial assistance in handling Home claims on account of the Fund's membership in the NCIGF. The Fund has reported its total yearly NCIGF dues payments in the first quarter of each year because NCIGF typically bills for dues in late December and the Fund pays such amounts in the following January. The NCIGF dues paid by the Fund in January 2008 on account of the NCIGF billing in December 2007 do not reflect an allocation based on the Giant Claims because those files were not open in January 2008. Those files were opened beginning in March 2008 and remained open until 2009.

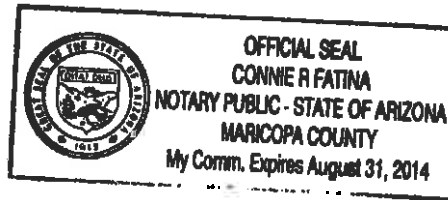
20. The allocation of NCIGF dues (like other administration expenses) is based on the number of open files. By the time NCIGF billed the Fund in December 2008, 80 files were open on account of the Giant Claims.

*Michael E. Sarguine*  
Michael E. Sarguine

Subscribed and sworn to before me,

this 24<sup>th</sup> day of July, 2012.

*Connie R. Fatina*  
Notary Public



My commission expires: \_\_\_\_\_, 20\_\_\_\_.

Ex B - A

**THE HOME INSURANCE COMPANY IN LIQUIDATION**

P.O. Box 1720

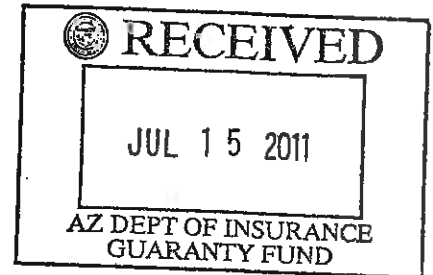
Manchester, New Hampshire 03105-1720

Tel: (800) 347-0014

Date: July 12, 2011

Class I. Creditor

Michael Surguine, Executive Director  
Arizona Property & Casualty Insurance Guaranty Association  
1110 West Washington St. #270  
Phoenix, AZ 85007



RE: NOTICE OF PARTIAL DETERMINATION  
Proof of Claim No.: GOVT18901-11

Determination Summary

Administration expenses incurred and reported to the Liquidator ("Liquidator") of The Home Insurance Company ("Home"), for the period beginning 01/01/06 through 12/30/2010 (see copy of May 12, 2011 correspondence and Attachment A for details.)

Amount Allowed by Liquidation: \$150,694.92

Dear Mr. Surguine:

Further to our correspondence of May 12, 2011, the purpose of this letter is to provide the Arizona Property & Casualty Insurance Guaranty Association (the "Association") with a determination regarding expenses that have been presented to the Liquidator of the Home, under the Proof of Claim enumerated and captioned above. The determination is consistent with that which was outlined in the referenced May 12, 2011 correspondence for which no disagreement or other response was furnished the Liquidator. The Liquidator expects to present notice of this determination to the Superior Court for Merrimack County, New Hampshire (the "Court") for approval in accordance with New Hampshire Revised Statutes Annotated ("RSA") §402-C:45. Read this Notice of Determination carefully as it sets forth your rights and obligations in detail.

The Liquidator has now made a Determination on the claim as set forth above in accordance with The Home's Claim Procedures (the "Procedures")<sup>1</sup> approved by the Court. If the claim has been allowed, in whole or in part, it has been assigned a Class I priority as "Administration Costs" pursuant to the Order of Distribution set forth in RSA §§402-C:44 and 404-B:11 and it will be placed in line for payment as directed by the Court from the assets of The Home.

<sup>1</sup> A copy of the January 19, 2005 *Restated and Revised Order Establishing Procedures Regarding Claims Filed With The Home Insurance Company in Liquidation* may be obtained from the website of the Office of the Liquidation Clerk for The Home Insurance Company in Liquidation and US International Reinsurance Company in Liquidation, [www.hicilclerk.org](http://www.hicilclerk.org).

You may have other claims against The Home for which you will receive other Notices of Determination. You will have a separate right to dispute each Notice of Determination. If you have any questions please contact James Hamilton VP Claims Systems at the above captioned address.

Any and all distributions of assets may be affected and/or reduced by any payments you have received on this claim from any other sources. Distributions by The Home are based on The Home's knowledge and/or understanding of the amounts you have received in settlement and/or reimbursement of the expenses forming the subject of this Notice of Determination from all other sources at the time of the allowance or thereafter. Should The Home subsequently become aware of prior recoveries from other sources, The Home has the right to reduce its future distribution payments to you to the extent of such other recoveries or to seek and obtain repayment from you with respect to any previous distributions that were made to you.

Further, if you seek or receive any future payment from any other source after you receive a distribution payment from The Home, you must notify The Home at the address below, and The Home has the right to recover from you the distribution payments in whole or in part, to the extent of any such other future recoveries.

The following instructions apply to this Notice of Determination:

#### Claim Allowed

1. If this claim has been allowed in whole or in part and you agree with the determination, sign and date the enclosed Acknowledgment of Receipt of the Notice of Determination and mail the completed Acknowledgment to The Home.

#### Claim Disallowed

2. A. If all or part of your claim has been disallowed or you wish to dispute the determination or creditor classification for any reason, you may file a Request for Review with the Liquidator. The Request for Review is the first of two steps in the process of disputing a claim determination. The Request for Review must be received by the Liquidator within thirty (30) days from the date of this Notice of Determination.

#### REQUEST FOR REVIEW FILING REQUIREMENTS:

- (a) Sign and return the attached Acknowledgment of Receipt form.
- (b) On a separate page, state specifically the reasons(s) you believe that the determination is in error and how it should be modified. Please note the Proof of Claim number on that page and sign the page.

- (c) Mail the Request for Review to:  
The Home Insurance Company in Liquidation  
P.O. Box 1720  
Manchester, NH 03105-1720

You should keep a copy of this Notice of Determination, Acknowledgment of Receipt and Request for Review, then mail the Original Request for Review to us by U.S. Certified Mail.

- (d) The Request for Review must be received by the Liquidator within thirty (30) days from the date of this Notice of Determination. The Request for Review must be in writing.
- (e) The Liquidator will inform you of the outcome of the review and issue to you a Notice of Redetermination.

**IF THE REQUEST FOR REVIEW IS NOT FILED WITHIN THE THIRTY (30) DAY PERIOD, YOU MAY NONETHELESS DIRECTLY FILE AN OBJECTION WITH THE COURT WITHIN SIXTY (60) DAYS FROM THE MAILING OF THIS NOTICE.** You do not have to file the Request for Review as a prerequisite to dispute the Notice of Determination. Please see Section 2B for the Objections to Denial of Claims.

**B. If your claim is disallowed in whole or in part, you may file an Objection with the Court at**

**Office of the Clerk, Merrimack County Superior Court  
166 N. Main Street, P.O. Box 2860  
Concord, New Hampshire 03301  
Attention: The Home Docket No.03-E-0106**

**within sixty (60) days from the mailing of the Notice of Determination and bypass the Request for Review procedures as noted in Section 2A (above).** If the Request for Review is timely filed as outlined in Section 2A the Liquidator will inform you of the outcome of the review and issue to you a Notice of Redetermination. If the redetermination is to disallow the claim, you may still file an Objection with the Court. You have sixty (60) days from the mailing of the Notice of Redetermination to file your Objection. Please also sign and return the Acknowledgment of Receipt form and mail a copy of the Objection to the Liquidator.

**IF YOU DO NOT FILE AN OBJECTION WITH THE COURT WITHIN EITHER SIXTY (60) DAYS FROM THE MAILING OF THE NOTICE OF DETERMINATION OR SIXTY (60) DAYS FROM THE MAILING OF THE NOTICE OF REDETERMINATION, YOU MAY NOT FURTHER OBJECT TO THE DETERMINATION.**



A timely filed Objection will be treated as a Disputed Claim and will be referred to the Liquidation Clerk's Office for adjudication by a Referee in accordance with the Procedures.

3. You must notify the Liquidator of any changes in your mailing address. This will ensure your participation in future distributions, as applicable. For purposes of keeping The Home informed of your current address, please notify us at the address given above.

Sincerely yours,

Peter Bengelsdorf, Special Deputy Liquidator  
For Roger A. Sevigny, Liquidator  
of THE HOME INSURANCE COMPANY

THE HOME  
INSURANCE  
COMPANY IN  
LIQUIDATION



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61 Broadway 6<sup>th</sup> FL  
New York, New York 10006-2504

James Hamilton  
TEL: 212 530 3113  
FAX: 212 530 4063

May 12, 2011

Michael Surguine, Executive Director  
Arizona Property & Casualty Ins. Guaranty Association  
1110 West Washington St. #270  
Phoenix, AZ 85007

Re: Administration expenses allocated to The Home

Dear Mike:

Further to our earlier conversation and my letter of December 24, 2009, the purpose of this correspondence is to provide the Arizona Property & Casualty Insurance Guaranty Association (the "Association") with a preliminary response to the Association's classification of certain asserted administration expenses. Said charges have been submitted to the Liquidator ("Liquidator") of The Home Insurance Company ("Home") seeking to be allowed as an authorized estate expenditure.

Our review has identified three items within the Association's administration expenses, as reported in their Quarterly Financial Information Questionnaires ("FIQ") that raise concerns. The most significant issue involves the *Giant Industries, Inc.* ("Giant") groundwater pollution claims. Specifically, allocated expenses incurred as respects Giant during the period March 1, 2008 thru June 30, 2009 were submitted for reimbursement. The request for NCIGF dues and Investment Management Fees is also problematic.

We appreciate that the Association has a statutory duty to investigate claims brought against the fund and adjust, compromise, settle and pay covered claims to the extent of the Association's obligation and deny all other claims. In the instant matter, the Association denied Giant's claim for coverage under two primary policies as the claims were filed after the statutory deadline for filing per applicable Arizona Guaranty Association Statutes and are, therefore, non-covered claims. Notwithstanding the evident lack of coverage as of the initial submission date, the Association established 40 basically identical claim records pertaining to the two primary policies based on potential allocated exposures. The change increased the number of open Home claims being handled by the Association from three, prior to the Giant's claim, to 83 open claims thereafter. This approach resulted in an increase in asserted administration expenses submitted to The Home exceeding 300% over the previous submission. Given that the Association had Giant's action dismissed because of late notice, the Association clearly did not conduct

**THE HOME  
INSURANCE  
COMPANY IN  
LIQUIDATION**



work on a claim-by-claim basis. As late notice was a complete and immediately evident defense to the claim, the Association needed to establish only two claim records, i.e., one for each primary policy.


Since the yearly administration expense in 2007 totaled \$31,000.00 based on five claims, the Liquidator is willing to allow that same amount for the 2008 and 2009 years. Based on the calculations shown in the attached work sheet, the Liquidator intends to issue a Notice of Determination for a class I allowance of \$150,694.92 for the period beginning 01/01/2006 through 12/31/2010. Of course, you will have a right to dispute the Liquidator's determination (once it is issued) via the established claim procedures for seeking redetermination by the Referee or the Court.

The NCIGF dues, reported as \$75,881.97 on the FIQ will be subject of a separate Notice of Determination. This expense does not appear to meet the definition of Class I administration expenses. Additionally, the allocation of the expense category reported in the first quarter of 2009, totaled \$52,572.44, which is 10 times the prior amounts. The Liquidator intends to allow as a Class V claim the same amount reported in 2008 or \$4,365.00. The Claim V notice will total \$27,674.53. You will have a separate right to dispute each Notice of Determination.

The investment fees relate to the Association's handling of its investment portfolio maintained for current and future insolvencies. Such costs of handling are, or should be, offset by commensurate growth in investment value. Furthermore, the Association is holding The Home's Special Deposit of \$1,000,000.00 and no accounting has been produced to show that the asserted investment expenses are solely being incurred to manage The Home's funds or to reflect interest earned on the account. Before issuing a Notice of Determination, the Liquidator wants to afford the Association with an opportunity to provide an accounting and support for the submitted amount.

Given the significant issues referenced above, we seek to engage in an open dialogue prior to issuing determinations, and we request a response within thirty days. Attached for your reference is my supporting work sheet reconciling the FIQ's. I look forward to hearing from you.

Regards,

  
James Hamilton  
VP Claims Systems

cc: Peter Bengelsdorf, Special Deputy Liquidator  
Christopher Marshall, Assistant Attorney General

HOME INSURANCE CO. IN LIQUIDATION  
DRAFT - FOR DISCUSSION PURPOSES ONLY

AZ P&C SUMMARY OF FINANCIAL INFORMATION REPORTED ("FIQ")

Description	Home's	
	Code	Amount
Accounting/Legal	2658	\$ 3,863.88
Administrative	2681	\$ 120,199.70
Misc	2677	\$ 11,315.00
Equip & Maint	2665	\$ 18,864.94
Postage	2669	\$ 1,123.81
Rent	2663	\$ 7,334.96
Telephone	2674	\$ 1,104.86
NCIGF Dues	2670	\$ 11,104.60
Bank Fees	2681	\$ -
		\$ 174,911.55

The Home's Notices of Determination  
Date Issued Class  
GOVTT18901-02 10/24/2006 Class I Amount \$ 163,806.96  
GOVTT18901-04 11/22/2006 Class V Amount \$ 11,104.60  
Pending Request for Review \$ 174,911.55

AZ P&C Reported : FIQ Year 2006 Year 2007 Year 2008 Year 2009 Year 2010

Description	Home's Code	Amount	Year 2006		Year 2007		Year 2008		Year 2009		Year 2010		Converted to UDS D Format, Inception to Date 12/31/2010
			Reported activity	Reported adjustments	Reported activity	Reported adjustments	Reported activity	Reported adjustments	Reported activity	Reported adjustments			
Accounting/Legal	2658	\$ 1,126.17		\$ 986.70		\$ 8,773.02		\$ 662.42	\$ 0.01	\$ 146.10	\$ (0.01)	\$ 15,456.29	
Split out Legal 01/09	2658							\$ 9,428.39		\$ 1,163.08	\$ 0.02	\$ 10,691.49	
Administrative	2681	\$ 26,246.32	\$ (0.01)	\$ 21,796.40		\$ 185,604.98	\$ (0.01)	\$ 131,325.19	\$ (0.01)	\$ 15,736.72		\$ 500,909.28	
Misc	2677	\$ 1,700.57	\$ (2,051.43)	\$ 1,158.55		\$ 7,109.48		\$ 295.86				\$ -	
Equip & Maint	2665	\$ 3,674.69	\$ (8,140.30)	\$ 2,429.21		\$ 19,124.47	\$ 68.59	\$ (36,321.60)				\$ -	
Postage	2669	\$ 331.88	\$ 0.01	\$ 113.26		\$ 317.51		\$ 52.76	\$ (0.02)	\$ 17.29	\$ (1,956.48)	\$ -	
Rent	2663	\$ 662.95	\$ (0.01)	\$ 1,427.27		\$ 17,576.00		\$ 2,812.14	\$ (0.01)	\$ 716.67	\$ (5,973.70)	\$ 30,529.98	
Telephone	2674	\$ 320.92		\$ 324.95		\$ 2,257.58		\$ 1,757.79		\$ 207.80	\$ (88,139.58)	\$ -	
NCIGF Dues	2670	\$ 5,930.75	\$ 1,153.00	\$ 3,917.36		\$ 4,365.72		\$ 52,572.44	\$ 0.01	\$ 9,095.70	\$ (44,310.78)	\$ 216,869.94	
Bank Fees	2681	\$ 2,770.57	\$ 23,817.92	\$ 2,847.66		\$ (68.59)		\$ 513.68		\$ 209.83	\$ -	\$ -	
Split out Travel 01/09	2676							\$ 1,639.85	\$ (0.01)	\$ 100.46	\$ -	\$ 1,740.31	
Split out Office Exp 01/09	2666							\$ 54,802.44		\$ 2,178.92	\$ 169,908.59	\$ 216,869.94	
Split out Investment Mgr Fees 01/09	2654	\$ 43,064.80	\$ 14,779.18	\$ 35,001.36		\$ 259,348.48	\$ (0.01)	\$ 238,874.19	\$ (0.03)	\$ 32,484.72	\$ 0.03	\$ 798,464.27	

Average number of claims per Year :  
Remove from the totals above  
9 Claims per month  
5 Claims per month  
10 months of 82 claims  
6 months of 82 claims  
1 Claim per month

Proposed Home Class I Recommendation: \$ 37,134.05  
Proposed Home Class V Recommendation: \$ 5,930.75  
NCIGF Dues \$ (5,930.75)  
Investment Mgr Fees \$ (3,917.36)  
Adjusted Net Per Year \$ 37,134.05  
NCIGF Dues \$ (3,917.36)  
Investment Mgr Fees \$ (3,917.36)  
Adjusted Net Per Year \$ 31,084.00  
NCIGF Dues \$ (3,917.36)  
Investment Mgr Fees \$ (3,917.36)  
Adjusted Net Per Year \$ 254,982.76  
NCIGF Dues \$ (52,572.44)  
Investment Mgr Fees \$ (19,432.83)  
Adjusted Net Per Year \$ 166,968.92  
NCIGF Dues \$ (9,095.70)  
Investment Mgr Fees \$ (2,912.15)  
Adjusted Net Per Year \$ 20,476.87  
NCIGF Dues \$ (9,095.70)  
Investment Mgr Fees \$ (2,912.15)  
Adjusted Net Per Year \$ 20,476.87  
NCIGF Dues \$ (9,095.70)  
Investment Mgr Fees \$ (2,912.15)  
Adjusted Net Per Year \$ 20,476.87  
NCIGF Dues \$ (9,095.70)  
Investment Mgr Fees \$ (2,912.15)  
Adjusted Net Per Year \$ 20,476.87

THE HOME  
INSURANCE  
COMPANY IN  
LIQUIDATION

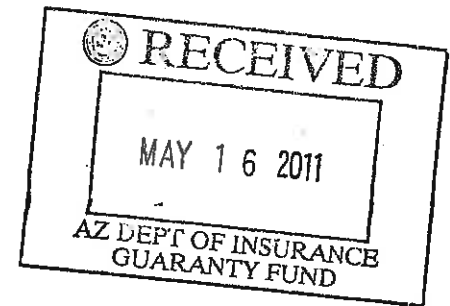


61 Broadway 6<sup>th</sup> FL  
New York, New York 10006-2504

James Hamilton  
TEL: 212 530 3113  
FAX: 212 530 4063

May 12, 2011

Michael Surguine, Executive Director  
Arizona Property & Casualty Ins. Guaranty Association  
1110 West Washington St. #270  
Phoenix, AZ 85007



Re: Administration expenses allocated to The Home

Dear Mike:

Further to our earlier conversation and my letter of December 24, 2009, the purpose of this correspondence is to provide the Arizona Property & Casualty Insurance Guaranty Association (the "Association") with a preliminary response to the Association's classification of certain asserted administration expenses. Said charges have been submitted to the Liquidator ("Liquidator") of The Home Insurance Company ("Home") seeking to be allowed as an authorized estate expenditure.

Our review has identified three items within the Association's administration expenses, as reported in their Quarterly Financial Information Questionnaires ("FIQ") that raise concerns. The most significant issue involves the *Giant Industries, Inc.* ("Giant") groundwater pollution claims. Specifically, allocated expenses incurred as respects Giant during the period March 1, 2008 thru June 30, 2009 were submitted for reimbursement. The request for NCIGF dues and Investment Management Fees is also problematic.

We appreciate that the Association has a statutory duty to investigate claims brought against the fund and adjust, compromise, settle and pay covered claims to the extent of the Association's obligation and deny all other claims. In the instant matter, the Association denied Giant's claim for coverage under two primary policies as the claims were filed after the statutory deadline for filing per applicable Arizona Guaranty Association Statutes and are, therefore, non-covered claims. Notwithstanding the evident lack of coverage as of the initial submission date, the Association established 40 basically identical claim records pertaining to the two primary policies based on potential allocated exposures. The change increased the number of open Home claims being handled by the Association from three, prior to the Giant's claim, to 83 open claims thereafter. This approach resulted in an increase in asserted administration expenses submitted to The Home exceeding 300% over the previous submission. Given that the Association had Giant's action dismissed because of late notice, the Association clearly did not conduct

**THE HOME  
INSURANCE  
COMPANY IN  
LIQUIDATION**



work on a claim-by-claim basis. As late notice was a complete and immediately evident defense to the claim, the Association needed to establish only two claim records, i.e., one for each primary policy.

Since the yearly administration expense in 2007 totaled \$31,000.00 based on five claims, the Liquidator is willing to allow that same amount for the 2008 and 2009 years. Based on the calculations shown in the attached work sheet, the Liquidator intends to issue a Notice of Determination for a class I allowance of \$150,694.92 for the period beginning 01/01/2006 through 12/31/2010. Of course, you will have a right to dispute the Liquidator's determination (once it is issued) via the established claim procedures for seeking redetermination by the Referee or the Court.

The NCIGF dues, reported as \$75,881.97 on the FIQ will be subject of a separate Notice of Determination. This expense does not appear to meet the definition of Class I administration expenses. Additionally, the allocation of the expense category reported in the first quarter of 2009, totaled \$52,572.44, which is 10 times the prior amounts. The Liquidator intends to allow as a Class V claim the same amount reported in 2008 or \$4,365.00. The Claim V notice will total \$27,674.53. You will have a separate right to dispute each Notice of Determination.

The investment fees relate to the Association's handling of its investment portfolio maintained for current and future insolvencies. Such costs of handling are, or should be, offset by commensurate growth in investment value. Furthermore, the Association is holding The Home's Special Deposit of \$1,000,000.00 and no accounting has been produced to show that the asserted investment expenses are solely being incurred to manage The Home's funds or to reflect interest earned on the account. Before issuing a Notice of Determination, the Liquidator wants to afford the Association with an opportunity to provide an accounting and support for the submitted amount.

Given the significant issues referenced above, we seek to engage in an open dialogue prior to issuing determinations, and we request a response within thirty days. Attached for your reference is my supporting work sheet reconciling the FIQ's. I look forward to hearing from you.

Regards,

  
James Hamilton

VP Claims Systems

cc: Peter Bengelsdorf, Special Deputy Liquidator  
Christopher Marshall, Assistant Attorney General

**THE HOME  
INSURANCE  
COMPANY IN  
LIQUIDATION**



59 Maiden Lane  
New York, New York 10038

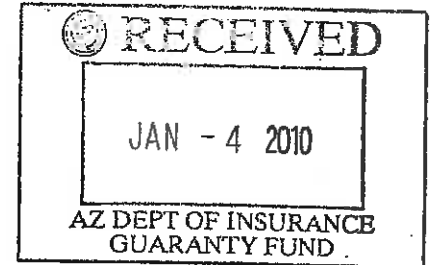
James Hamilton  
TEL: 212 530 3113  
FAX: 212 530 3100

Date: December 24, 2009

Attn: Michael Surguine, Executive Director  
Arizona Property & Casualty Ins. Guaranty Association  
1110 West Washington St. #270  
Phoenix, AZ 85007

Re: Administration expenses

Dear Mike:



Further to an earlier conversation I had with your Controller regarding the allocation and payment of administration expenses that the Arizona Property & Casualty Insurance Guaranty Association (the "Association") has sought from The Home Insurance Company in Liquidation ("The Home"), we are in the process of reviewing the financial documentation the Association has submitted in order to issue a new Notice of Determination regarding Class I Administration Expenses. Our review has identified an issue with respect to the Giant Industries, Inc. ("Giant") groundwater pollution claim and how the Association has allocated administration expenses to the The Home for the period March 1, 2008 thru March 31, 2009. (Attached is a summary of the Association's administration expenses compiled from your reports.)

By way of background, The Home became aware of Giant's claim in January 2008 after which we issued a letter to Giant advising them of Home's status in liquidation along with the methodology for how to file a Proof of Claim in the estate. At that time, The Home established two claim records, reflecting that The Home had issued two primary policies to Giant. The claim material was sent to the Association along with policy information (two primary policies and one excess policy) in February 2008. Giant sought coverage for defense costs and indemnification with respect to various suits filed as a result of Giant's alleged involvement in groundwater contamination from Methyl Tertiary Butyl Ether (MTBE). While there were various potential defenses available, the Association denied Giant's claim as having been late filed per the liquidation claim filing deadline. The Home assisted the Association in that defense and provided a supporting affidavit. The Association but not the Insured was dismissed from the case in August 2009. The Association incurred \$28,817.38 in expenses to obtain that dismissal, which was charged to allocated loss adjustment expense and is not at issue.

In contrast to the The Home's handling of this matter, the Association established 80 claim records for Giant, broken into 40 claims per primary policy. Because the Association calculates its allocation of administration expenses to insolvencies based on

**THE HOME  
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the number of claim records it establishes, the creation of 80 basically identical claim records clearly, and disproportionately, impacts the amounts allocated to The Home. This approach resulted in an increase in administration expenses submitted to The Home of approximately 300% over its previous submission. Given that the Association had Giant's action dismissed because of late notice, the Association did not conduct work on a claim-by-claim basis. Thus, attempting to allocate on the basis that the Association was handling 80 individual claims does not reflect the underlying circumstances. Rather, as late notice was a policy level defense, the Association (consistent with The Home's approach) should have only established two claim records, i.e., one for each of primary policy.

In light of the historically good relationship between the Liquidator and the Association, we would appreciate if you, or someone on your staff, would reconsider the allocation and the facts surrounding Giant's claim. Applying the appropriate number of claims would decrease the Association's reported administration expense for the period from March 1, 2008 through June 30, 2009 from \$376,557 to approximately \$19,000. Accordingly, we look forward to learning the outcome of your review of this issue.

Regards,



James Hamilton  
VP Claims Systems

cc: Tom Kober, Chief Claims Officer



ARIZONA PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOC.

FIQ Quarter	Administration Expense Qtrly	Monthly	Admin Exp Monthly	Inventory	Fund's Paid Claim Loss	Fund's Paid Claim Exp	Fund's Loss Reserves	Fund's Expense Reserves
2009-03	\$	July		82 claims/82 claimants	\$	-	\$ 29,351.32	\$ 9,077.02
		Jun		82 claims/82 claimants	\$	260.00	\$ 37,351.32	\$ 57,540.25
		May		82 claims/82 claimants	\$	100.00	\$ 37,351.32	\$ 57,540.25
		April		82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 57,540.25
2008-12	\$	March	28,747.06	82 claims/82 claimants /2 transfers (in - out)	\$	-	\$ 37,351.32	\$ 57,700.59
		Feb	21,427.39	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 58,322.79
		Jan	78,171.58	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 58,685.39
		Dec	34,919.22	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 59,237.73
		Nov	24,389.15	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 60,296.02
		Oct	28,709.37	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 64,017.02
2008-09	\$	Sept	28,321.85	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 62,551.31
		Aug	40,425.68	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 64,284.81
		July	37,206.25	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 53,091.69
2008-06	\$	Jun	1,095.96	82 claims/82 claimants	\$	-	\$ 37,351.32	\$ 59,657.02
		May	24,900.05	83 claims/87 claimants	\$	-	\$ 37,351.32	\$ 50,157.02
		April	28,244.28	83 claims/87 claimants	\$	-	\$ 37,351.32	\$ 10,157.02
2008-03	\$	Mar	868.35	83 claims/87 claimants/33 transfers (in - out)	\$	18,773.13	\$ 48,124.45	\$ 10,157.02
		Feb	2,725.16	3 claims/ 7 claimants	\$	-	\$ 48,124.45	\$ 10,157.02
		Jan	7,543.14	3 claims/ 7 claimants	\$	-	\$ 48,124.45	\$ 10,157.02
2007-12	\$	Dec	2,171.52	3 claims/ 7 claimants	\$	-	\$ 48,124.45	\$ 10,257.02
		Nov	2,490.15	3 claims/ 7 claimants	\$	100.00	\$ 48,124.45	\$ 10,257.02
		Oct	1,888.94	4 claims/ 8 claimants	\$	-	\$ 48,124.45	\$ 10,257.02
2007-09	\$	Sept	2,409.14	4 claims/ 8 claimants	\$	-	\$ 48,124.45	\$ 10,258.02
		Aug	4,711.43	4 claims/ 8 claimants	\$	-	\$ 48,124.45	\$ 10,338.02
		July	1,809.75	4 claims/ 8 claimants	\$	-	\$ 48,124.45	\$ 10,338.02
		Jun	1,403.71	4 claims/ 8 claimants	\$	-	\$ 48,124.45	\$ 10,337.02
2007-06	\$	May	2,745.94	7 claims/ 13 claimants /2 transfers (in - out)	\$	28,802.63	\$ 48,324.45	\$ 10,537.02
		April	3,189.41	7 claims/ 13 claimants	\$	-	\$ 79,931.08	\$ 19,789.02
		Mar	2,612.60	7 claims/ 13 claimants	\$	-	\$ 79,931.08	\$ 19,789.02
		Feb	2,493.61	7 claims/ 13 claimants	\$	-	\$ 79,931.08	\$ 19,789.02
2006-12	\$	Jan	7,075.16	7 claims/ 13 claimants	\$	-	\$ 79,931.05	\$ 19,785.02
		Dec	477.91	7 claims/ 11 claimants	\$	140.00	\$ 79,927.08	\$ 24,925.02
		Nov	359.17	7 claims/ 11 claimants	\$	-	\$ 79,927.08	\$ 11,414.98
		Oct	2,262.84	7 claims/ 11 claimants	\$	-	\$ 79,927.08	\$ 24,925.02
2006-09	\$	Sept	1,811.30	7 claims/ 11 claimants	\$	52,324.24	\$ 132,251.32	\$ 20,025.02
		Aug	2,267.03	7 claims/ 12 claimants	\$	-	\$ 132,251.32	\$ 23,025.02
		July	4,445.86	7 claims/ 12 claimants	\$	-	\$ 132,751.32	\$ 23,025.02
2006-06	\$	Jun	3,118.73		\$	-	\$ 132,751.32	\$ 23,026.02
		May	5,698.44	13 claims/ 22 claimants	\$	-	\$ 132,751.32	\$ 31,026.02
		April	4,280.37	12 claims/ 20 claimants	\$	-	\$ 134,755.32	\$ 31,206.02
2006-03	\$	Mar	5,873.77	13 claims/ 23 claimants	\$	120.00	\$ 134,755.32	\$ 30,825.02
		Feb	3,255.42	11 claims/ 19 claimants	\$	120.00	\$ 134,755.32	\$ 30,825.02
		Jan	9,213.94	15 claims/ 27 claimants	\$	-	\$ 134,755.32	\$ 30,945.02
Begins 01/01/06		Total	\$ 485,760.63		\$ 99,900.00	\$ 29,957.38		

Exh. B-D

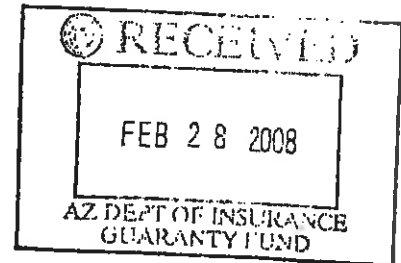


WNR  
NYSE

February 27, 2008

**VIA FEDERAL EXPRESS**

Michael E. Surgine  
Executive Director  
Arizona Insurance Guaranty Funds  
1110 West Washington, Suite 270  
Phoenix, AZ 85007  
(602) 364-3863



RE:

- Insured: Giant Industries, Inc., 23733 N. Scottsdale Rd., Scottsdale, Arizona 85255-000 and its subsidiaries, affiliates, successors or assigns, including such components hereafter acquired or formed, and any corporation, partnerships, joint ventures, trusts, joint tenancy in common or other entities in which the subsidiaries or affiliates as defined either directly or indirectly owns more than 50% interest therein or have assumed active management or control and any trusts, foundations, funds and welfare plans of any kind and other interests now or hereafter related to the Insureds but not specifically named, including but not limited to the above named corporations
- Lawsuit: Roslyn Water District v. Amerada Hess Corp., et al.
- Companies: Home Insurance Company; and, any other Home affiliated company that issued any other general liability policy issued to an Insured as that term is defined above or is defined in any general liability policy issued to an Insured
- Policies: BOP 8816174 (Effective Dates: 8/3/80 – 8/3/81); BOP 8931246 (Effective Dates: 8/3/82 – 8/3/83) and, any other general liability policy issued to an Insured as that term is defined above or is defined in any general liability policy issued to an Insured
- Your Claim #: TBA

Dear Mr. Surgine:

This letter is to provide notice to you that Giant Industries, Inc., an insured of Home Insurance Company ("Insured"), has been served with a lawsuit which is attached for your information and review. As you probably are aware, Home Insurance Company is in liquidation and is not accepting claims. Western Refining, Inc. acquired the Insured on May 31, 2007 when it acquired 100 percent of Giant Industry, Inc.'s shares.

In light of the Home Insurance Company liquidation, please determine whether any benefits are available to the Insured through the Arizona Insurance Guaranty Funds.

We have engaged counsel which has begun incurring expenses, so please provide a response as soon as possible.

Should you have any questions, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Brant Chandler". The signature is written in a cursive style with a large initial "W" and "B".

W. Brant Chandler  
Vice President  
Risk Management



Arizona Property and Casualty  
Insurance Guaranty Fund  
Arizona Department of Insurance  
Telephone: (602) 364-3863  
Facsimile: (602) 364-3872

Exh. B-E

JANET NAPOLITANO  
Governor

1110 W. Washington, Suite 270  
Phoenix, Arizona 85007  
[www.id.state.az.us](http://www.id.state.az.us)

CHRISTINA URIAS  
Director of Insurance

March 11, 2008

W. Brent Chandler - Vice President  
Western Refining  
123 West Mills Avenue  
STE 200  
El Paso, TX 79901

RE: Home Insurance Company, in Liquidation  
STYLE OF CASE: Roslyn Water District v. Amerada Hess Corporation et al.  
INSURED: Giant Industries  
CLAIMANT: Roslyn Water District  
CLAIM NUMBER: PCO-036-0081 and PCO-036-0082

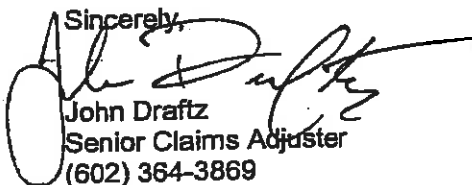
Dear Mr. Chandler:

We are in receipt of your letter dated February 27, 2008, requesting the Fund review the above captioned matter for possible coverage under Giant's liability policies with the now insolvent Home Insurance Company. Pursuant to the Home Liquidation Order, the court has established a filing deadline, or "bar date," for claims against Home of June 13, 2004, and no new claims will be accepted for coverage under the receivership estate after that date. The receivership had to receive notice of the claim prior to June 13, 2004 in order for coverage via the cancelled Home policy to apply. The first notice of the above claim was your letter of February 27, 2008. The Fund in turn forwarded a copy to the Receiver. As notice of this loss was not received prior to the bar date, it is deemed late.

The Fund must honor the bar dates established by receivership courts. In a resolution adopted on April 16, 1998, the Fund has specifically stated that "... any and all claims against the FUND, whether liquidated or unliquidated, not filed with the receiver or the FUND within four months from the date of the notice to creditors by the receiver, or on or before the claims bar date established by the receiver, whichever is later, shall be barred as to the FUND;" Notice of this claim was not provided prior to the bar date established. For that reason, we will not be able to extend coverage for this matter under the Fund.

The Fund reserves all statutory and/or policy defenses it may have in connection with this matter, whether stated or not in this letter. The Fund reserves its rights to modify its coverage position at any time upon receipt of additional information. Should you have any additional information regarding the notice of this claim that you would like for us to consider, please contact me.

Sincerely,

  
John Draftz  
Senior Claims Adjuster  
(602) 364-3869

**I. Giant Claims Filed after 2004**

1. **State of New Mexico** (Case No. 06-CV-5496).
2. **Town of Middleborough** (Case No. 06-CV-3741)
3. **City of Lowell** (Case No. 05-CV-4018)
4. **Town of Billerica** (Case No. 06-CV-1381)
5. **Town of Lakeville** (Case No. 07-CV-8360)
6. **New Jersey Department of Environmental Protection** (Case No. 07-CV-5284)
7. **Water Sewer Utility of City of Vineland** (Case No. 05-CV-9070)
8. **Albertson Water District** (Case No. 07-CV-2406)
9. **City of Glen Cove Water District** (Case No. 07-CV-2403)
10. **Town of Huntington** (Case No. 07-CV-2405)
11. **County of Greenville** (Case No. 05-CV-1310)
12. **City of Crystal River** (Case No. 07-CV-6848)
13. **City of Inverness Water District** (Case No. 07-CV-4011)
14. **City of Tampa Bay Water District** (Case No. 07-CV-4012)
15. **Homossa Water District** (Case No. 07-CV-4009)
16. **City of Greenlawn Water District** (Case No. 07-CV-2407).

**II. Giant Claims Filed in 2004 But Served on Giant After June 13, 2004 Bar Date**

**17. Town of Duxbury**

- SDNY (04cv1725) GIANT ON DOCKET: added 10/29/04 in Fifth Amended complaint (Giant served 12/16/04)
- MA (03cv12399) NO GIANT or WESTERN on docket.
- Suffolk Superior (03-4623) NO GIANT OR WESTERN on docket

**18. Northampton Bucks County**

- SDNY (04cv6993) GIANT ON DOCKET: added 11/05/04 in Second Amended complaint (Giant served 12/18/04)

- EDNY (04cv381) NO GIANT or WESTERN on docket

**28. Roslyn Water District**

- SDNY (04cv5422) GIANT ON DOCKET: added 10/29/04 First Amended complaint  
(Giant served 12/18/04)
- EDNY (04cv1280) NO GIANT or WESTERN on docket

**29. Town of Wappinger**

- SDNY (04cv2388) GIANT ON DOCKET: added 10/29/04 Second Amended complaint  
(Giant served 12/18/04)
- NY Supreme Court, Dutchess County, case no. 511-04: NO GIANT or WESTERN on docket

**30. Village of Pawling**

- SDNY (04cv2390) GIANT ON DOCKET: added 10/29/04 Second Amended complaint  
(Giant served 12/18/04)
- NY Supreme, New York county, case no. 5718-03: NO GIANT or WESTERN on docket

**31. Water Authority of Grea Neck North**

- SDNY (04cv1727) GIANT ON DOCKET: added 10/29/04 Third Amended complaint  
(Giant served 12/18/04)
- EDNY (03cv6077) NO GIANT or WESTERN on docket.

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01725-SAS**

Town Of Duxbury v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: U.S.D.C. - DMA, 1:03-cv-12399  
Cause: 28:1332 Diversity-Product Liability

Date Filed: 03/02/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Town Of Duxbury**

represented by **David T. Ritter**  
Baron & Budd, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
(214) 521-3605  
Fax: (214) 520-1181  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard M. Sandman**  
Allen Rodman P.C.  
442 Main Street  
Malden, MA 02148-5122  
(781) 324-3720  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul Scott Summy**  
Baron & Budd  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
214-521-3605  
Fax: (214)-520-1181  
Email: [ssummy@baronbudd.com](mailto:ssummy@baronbudd.com)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Brimfield Housing Authority**

represented by **David T. Ritter**  
(See above for address)  
*LEAD ATTORNEY*

		Town of Holliston, Town of Hudson, Town of Marion, Town of Maynard, Town of Merrimac, Town of Millis, Town of Monson, Town of Natick, Town of Norkfolk, Town of North Attleborough, Town of North Reading, Town of Norwell, Town of Pembroke, Town of Reading, Town of Salisbury, Town of Spencer, Town of Stoughton, Town of Tewksbury, Town of Tynsgborough, Town of Ware, Town of Wayland, Town of West Bridgewater, Town of Weymouth, Town of Wilmington, Town of Yarmouth, United Methodist Church, Wellfleet, MA, Water Supply District of Acton, Westport Federal Credit Union, Westview Farm, Inc. (jco, ) (Entered: 06/25/2004)
07/08/2004	4	AMENDED MEMORANDUM OF LAW in Support of defts motion to dismiss the Mass. complaint. Document filed by Amerada Hess Corp. et al. (cd, ) (Entered: 07/15/2004)
08/11/2004		ORDER OF DISMISSAL of Dismissal purs to Rule 41(a)(1)(i) of the FRCP without prejudice Flint Hills Resources, LLC from each of the referenced actions, with each party to bear its own costs. Plaintiffs reserve all other rights as against all of defendants. (Signed by Judge Shira A. Scheindlin on 8/9/04); (orig. docmt dktd in case no. M21-88, docmt #88)(djc, ) (Entered: 10/12/2004)
08/18/2004	5	PLAINTIFFS' MEMORANDUM OF LAW in Opposition of defendants' motion to dismiss the MASSACHUSETTS Complaints and Amended Complaints pursuant to FRCP 12(b)(6). Document filed by Brimfield Housing Authority, Centerville-Osterville-Marstons Mills Water Department, Chelmsford Water District, City of Brockton, City of Methuen, City of Peabody, Cotuit Fire District Water Department, Deham Westwood Water District, East Chelmsford Water District, Hillcrest Water District, Leicester Water Supply District, Massasoit Hills Trailer Park, Inc., North Chelmsford Water District, North Raynham Water District, Sandwich Water District, South Sagamore Water District, Sudbury Water District, Town Of Duxbury, Town of Holliston, Town of Avon, Town of Bedford, Town of Bellingham, Town of Charlton, Town of Danvers, Town of Dudley, Town of East Bridgewater, Town of Eastbrookfield, Town of Easton, Town of Edgartown, Town of Franklin, Town of Halifax, Town of Hanover, Town of Hanson, Town of Holliston, Town of Hudson, Town of Marion, Town of Maynard, Town of Merrimac, Town of Millis, Town of Monson, Town of Natick, Town of Norkfolk, Town of North Attleborough, Town of North Reading, Town of Norton, Town of Norwell, Town of Pembroke, Town of Reading, Town of Salisbury, Town of Spencer, Town of Stoughton, Town of Tewksbury, Town of Tynsgborough, Town of Ware, Town of Wayland, Town of West Bridgewater, Town of Weymouth, Town of Wilmington, Town of Yarmouth, United Methodist Church, Wellfleet, MA, Water Supply District of Acton, Westport Federal Credit Union, Westview Farm, Inc. (db, ) (Entered: 08/20/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	6	FIFTH AMENDED COMPLAINT against Amerada Hess Corp., American



	<p>Refining Group, Inc., Atlantic Richfield Company, Atlantic Richfield Company, individually, Atofina Petrochemicals, Inc., Chelsea Sandwich, LLC, Chevron Texaco Corporation, Chevron USA, Incorporated, Citgo Petroleum Corporation, Citgo Refining and Chemical Company, LP, Citgo Refining and Chemicals Company L.P., Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, Coastal Oil New England, Inc., Colorado Refining Company, Cumberland Farms, Incorporated, El Paso Corporation, El Paso Merchant Energy-Petroleum Company, Equilon Enterprises, LLC, Equistar Chemicals L.P., Exxon Mobil Corporation, ExxonMobil Chemical Company, Incorporated, ExxonMobil Oil Corporation, FHR/GP, LLC, Getty Petroleum Marketing, Incorporated, Getty Properties Corporation, Giant Yorktown inc., Global Companies, LLC, Global Montello Group, Global Petroleum Corporation, Gulf Oil LP, Lyondell Chemical Company, Mobil Corporation, Motiva Enterprises, LLC, Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Incorporated, Shell Trading (US) Company, Sunoco, Inc., Sunoco, Inc. (R&amp;M), Sunoco, Incorporated, Sunoco, Incorporated (R &amp; M), TMR Company, TPI Petroleum, Inc., Texaco Refining &amp; Marketing (East), Inc., Texaco, Inc., The Premcor Refining Group, Inc., The Premcor Refining Group, Incorporated, Tosco Corporation, Town of Dover, Union Oil Company of California, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company. Document filed by Brimfield Housing Authority, Chelmsford Water District, City of Brockton, City of Methuen, City of Peabody, Cotuit Fire District Water Department, Dedham Westwood Water District, East Chelmsford Water District, Hillcrest Water District, Lyondell Chemical Company, Massasoit Hills Trailer Park, Inc., North Chelmsford Water District, North Raynham Water District, Sandwich Water District, South Sagamore Water District, Sudbury Water District, Town Of Duxbury, Town of Holliston, Town of West Brookfield, Town of Avon, Town of Bedford, Town of Bellingham, Town of Charlton, Town of Danvers, Town of Dudley, Town of East Bridgewater, Town of Eastbrookfield, Town of Easton, Town of Edgartown, Town of Halifax, Town of Hanover, Town of Hanson, Town of Holliston, Town of Hudson, Town of Marion, Town of Maynard, Town of Merrimac, Town of Millis, Town of Monson, Town of Natick, Town of Norkfolk, Town of North Attleborough, Town of North Reading, Town of Norwell, Town of Pembroke, Town of Reading, Town of Salisbury, Town of Spencer, Town of Stoughton, Town of Tewksbury, Town of Tynsgborough, Town of Ware, Town of Wayland, Town of West Bridgewater, Town of Weymouth, Town of Wilmington, Town of Yarmouth, United Methodist Church, Wellfleet, MA, Water Supply District of Acton, Westport Federal Credit Union, Westview Farm, Inc. (jco, ) (Entered: 12/14/2004)</p>
01/18/2005	<p>CASE MANAGEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since</p>

01/19/2005		RULE 7.1 DISCLOSURE STATEMENT. Document filed by Exxon Mobil Corporation,. Original document filed in case #00cv1898, document #479. (Entered: 02/02/2005)
01/19/2005		NOTICE of Appearance by James Anthony Pardo, Stephen Joseph Riccardulli, Peter John Sacripanti on behalf of Exxon Mobil Corporation (dle, )Original document filed in case #00cv1898, document #481.(dle, ) (Entered: 02/03/2005)
01/20/2005	7 A	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. American Refining Group, Inc. served on 12/14/2004, answer due 1/3/2005. Service was accepted by K. West. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	8 A	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Atofina Petrochemicals, Inc. served on 12/16/2004, answer due 1/5/2005. Service was accepted by Amy Cope-Gibbs. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	9 A	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	10	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Giant Yorktown inc. served on 12/16/2004, answer due 1/5/2005. Service was accepted by Jean Goodrich. Document filed by Town Of Duxbury. (kw, ) (Entered: 01/31/2005)
01/20/2005	11	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. LYONDELL-CITGO REFINING, LP; served on 12/16/2004, answer due 1/5/2005. Service was accepted by Lynn Keys. Document filed by Town Of Duxbury. (kw, ) (Entered: 01/31/2005)
01/20/2005	12	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Placid Refining Company, LLC, served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	13	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Sinclair Oil Corporation served on 12/21/2004, answer due 1/10/2005. Service was accepted by Bernardo Montenez. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	14	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. TPI Petroleum, Inc. served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)
01/20/2005	15	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. United Refining Company served on 12/14/2004, answer due 1/3/2005. Service was accepted by Mary Phillips. Document filed by Town Of Duxbury et al. (kw, ) (Entered: 01/31/2005)

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-06993-SAS**

Northampton Bucks County Municipal Authority v.  
Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: USDC-EDPA, 2:04-cv-1781  
Cause: 28:1331 Fed. Question: Insurance Contract

Date Filed: 08/30/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 110 Insurance  
Jurisdiction: Federal Question

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Northampton Bucks County  
Municipal Authority**

represented by **David T. Ritter**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert J. Gordon**

**Defendant****BP Amoco Chemical Company****TERMINATED: 10/21/2005**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/30/2004	1	CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL... transferring this action from the United States District Court - Eastern District of Pennsylvania, Case Number: 2:04-cv-1781, MDL Number: MDL 1358, (Signed by Judge MDL Panel on 8/23/2004) (laq, ) (Entered: 09/03/2004)
08/30/2004		Magistrate Judge Ronald Ellis is so designated. (laq, ) (Entered: 09/03/2004)
08/30/2004		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to M 21-88. (laq, ) (Entered: 09/03/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
08/30/2004		CASE ACCEPTED AS RELATED TO 1:00-cv-1898. Notice of Assignment to follow. (yv, ) (Entered: 01/25/2005)
08/30/2004		CONSOLIDATED MDL CASE: Case consolidated with 1:00-cv-1898. (yv, ) (Entered: 01/26/2005)
08/30/2004		RELATED CASES: Create association to 1:00-cv-01898-SAS.. (dlw) (Entered: 04/10/2007)
09/14/2004		MDL TRANSFER IN: Received certified copy of docket entries and documents numbered entire file from the United States District Court - Eastern District of Pennsylvania. Case Number: 2:04-cv-1781, (gf, ) (Entered: 12/08/2004)
10/29/2004	3	FIRST AMENDED COMPLAINT against all defendants.Document filed by Northampton Bucks County Municipal Authority.(cd, ) (Entered: 12/07/2004)
11/05/2004	2	SECOND AMENDED COMPLAINT against ATOFINA PETROCHEMICALS, INC., Amerada Hess Corp., American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, BP America Inc., BP Amoco Chemical Company, BP Company North America Inc., BP Global Special Products (America), Inc., BP Products North America, Inc.,, BP Products North Americas, Inc. aka BP Marine AMERICAS, Cheverontexaco Corporation, Chevron U.S.A., Inc., Citgo Petroleum Coporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, Coastal Oil New England, Colorado Refining Company, ConocoPhillips Company, Crown Central Petroleum Corporation, El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy-Petroleum Company, Equilon Enterprises, LLC, Equistar Chemicals, LP, Exxon Mobil Corporation, ExxonMobil Chemical Company, Inc.,,

	<p>ExxonMobil Oil Corporation, Exxonmobil PipeLine Company, FHR/GP, LLC., FLINT HILLS RESOURCES, LP., GIANT YORKTOWN, INC.;; Getty Petroleum Marketing, Getty Properties Corp., Gulf Oil, LP, Koch Industries, Inc., LYONDELL-CITGO REFINING, LP.; Lydondell Chemical Company, Lyondell Petrochemical GP, Inc., Marathon Ashland Petroleum, LLC, Marathon Oil Company, Marathon Oil Corporation, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, Placid Refining Co., LLC, Premcor, Inc., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc., Sunoco, Inc. (R&amp;M), TEXACO REFINING &amp; MARKETING INC.;; TMR Company, TPI PETROLEUM, INC.;; Texaco Refining &amp; Marketing (East), Inc., Texaco, Inc, The Premcor Refining Group, Inc, Tosco Corporation, Total Holdings USA, Inc, Union Oil Company of California, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company.Document filed by Northampton Bucks County Municipal Authority.(dle, ) (Entered: 11/23/2004)</p>
11/05/2004	<p>Set Answer Due Date re: 2 Amended Complaint,,,,,,,, as to ATOFINA PETROCHEMICALS, INC. answer due on 11/15/2004; Amerada Hess Corp. answer due on 11/15/2004; American Refining Group, Inc. answer due on 11/15/2004; Ashland, Inc. answer due on 11/15/2004; Atlantic Richfield Company answer due on 11/15/2004; BP Amoco Chemical Company answer due on 11/15/2004; BP Products North America, Inc., answer due on 11/15/2004; Cheverontexaco Corporation answer due on 11/15/2004; Chevron U.S.A., Inc. answer due on 11/15/2004; Citgo Petroleum Coporation answer due on 11/15/2004; Citgo Refining and Chemicals Company, LP answer due on 11/15/2004; Coastal Eagle Point Oil Company answer due on 11/15/2004; Coastal Mobile Refining Company answer due on 11/15/2004; Coastal Oil New England answer due on 11/15/2004; Colorado Refining Company answer due on 11/15/2004; ConocoPhillips Company answer due on 11/15/2004; Crown Central Petroleum Corporation answer due on 11/15/2004; El Paso CGP Company answer due on 11/15/2004; El Paso Corporation answer due on 11/15/2004; El Paso Merchant Energy-Petroleum Company answer due on 11/15/2004; Equilon Enterprises, LLC answer due on 11/15/2004; Equistar Chemicals, LP answer due on 11/15/2004; Exxon Mobil Corporation answer due on 11/15/2004; ExxonMobil Chemical Company, Inc., answer due on 11/15/2004; ExxonMobil Oil Corporation answer due on 11/15/2004; FHR/GP, LLC, answer due on 11/15/2004; FLINT HILLS RESOURCES, LP, answer due on 11/15/2004; GIANT YORKTOWN, INC.; answer due on 11/15/2004; Getty Petroleum Marketing answer due on 11/15/2004; Getty Properties Corp. answer due on 11/15/2004; Gulf Oil, LP answer due on 11/15/2004; LYONDELL-CITGO REFINING, LP; answer due on 11/15/2004; Lydondell Chemical Company answer due on 11/15/2004; Lyondell Petrochemical GP, Inc., answer due on 11/15/2004; Marathon Ashland Petroleum, LLC answer due on 11/15/2004; Marathon Oil Company answer due on 11/15/2004; Mobil Corporation answer due on 11/15/2004; Motiva Enterprises, LLC answer due on 11/15/2004; PDV Midwest Refining, LLC answer due on 11/15/2004; Placid Refining Co., LLC answer due on 11/15/2004; Shell Oil Company answer due on 11/15/2004;</p>

		Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	5 A	FFIDAVIT OF SERVICE of Summons and First Amended Complaint. Ashland, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	6 A	FFIDAVIT OF SERVICE of Summons and 2nd Amended Complaint,,,,,,,,, Ashland, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	7 A	FFIDAVIT OF SERVICE of Summons and First Amended Complaint. ATOFINA PETROCHEMICALS, INC. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	8 A	FFIDAVIT OF SERVICE of Summons and 2nd Amended Complaint,,,,,,,,, ATOFINA PETROCHEMICALS, INC. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	9 A	FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint and 2nd Amended Complaint. Coastal Oil New England served on 12/15/2004, answer due 1/4/2005. Service was accepted by Debra Broussard. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and First Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	12	AFFIDAVIT OF SERVICE of Summons and First Amended Complaint. GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)
01/19/2005	13	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Northampton Bucks County Municipal Authority. (cd, ) (Entered: 01/25/2005)

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01719-SAS**

American Distilling & Manufacturing Co., Inc. v. Amerada Hess Corp.      Date Filed: 03/02/2004  
Assigned to: Judge Shira A. Scheindlin      Date Terminated: 06/07/2010  
Lead case: [1:00-cv-01898-SAS-DCF](#)      Jury Demand: Both  
Member case: ([View Member Case](#))      Nature of Suit: 365 Personal Inj. Prod. Liability  
Related Case: [1:00-cv-01898-SAS-DCF](#)      Jurisdiction: Federal Question  
Case in other court: USDC-DCT, 3:03-cv-1926  
Cause: 28:1331 Fed. Question: Personal Injury

**Special Master****Ronald J. Hedges****Plaintiff****American Distilling &  
Manufacturing Co., Inc.**

represented by **C. Sanders McNeal**  
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**Neal Lewis Moskow**  
Ury & Moskow LLC  
883 Black Rock Turnpike  
Fairfield, CT 06825  
(203) 610-6393

		renewed motions to dismiss the amended complaints as provided for herein. (Signed by Judge Shira A. Scheindlin on 8/25/04)... Original Document filed in 04-1716, Doc#4...(sac, ) (Entered: 09/03/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/07/2004)
09/22/2004	3 F	FOURTH AMENDED COMPLAINT against Amerada Hess Corp., Atlantic Richfield Co., Buckley Energy Group, Ltd., Buckley Gasoline Marketers, Inc., Chevron Texaco Corporation, Chevron USA Inc., Citgo Petroleum Corp., Citgo Refining & Chemicals Co, LP, Coastal Eagle Point Oil Co, Coastal Mobile Refining Co, Conocophillips, Co., Consumer's Petroleum of Connecticut, Inc., Crown Central Petroleum Corp., El Paso CGP Co, El Paso Corp, El Paso Merchant Energy-Petroleum Co, Equilon Ent LLC, Exxon Mobil Corp., Exxon Mobile Chemical Co, Inc, Exxonmobil Oil Corp., Exxonmobil Pipe Line Co, Getty Petroleum Mktg, Inc, Getty Properties Corp., Gulf Oil LP, Koch Indus, Inc, Louis Dreyfus Corporation, Louis Dreyfus HoldingnCompany, Inc., Lyondell Chemical Co., Marathon Ashland Petroleum LLC, Marathon Oil Corp., Mercury Fuel Service Inc, Mobil Corp, Motiva Ent, LLC, Phibro, Inc., Premcor Refining Group Inc., Santa Fuel, Inc., Santa Holding Company, Shell Oil Co., Shell Oil Prod Co, Shell Oil Products Co, LLC, Shell Petroleum Inc., Shell Trading Co, US, Simar Oil, Inc., Sunoco, Inc (R&M), Sunoco, Inc., Texaco Inc., Texaco Refining & Marketing Inc, Texaco Refining and Marketing(East), Inc., Tosco Corp., UNOCAL Corp, United Crude Oil, Inc., Valero Energy Corp., Valero Mktg & Supply Co, Valero Refining & Mktg Co.Document filed by American Distilling & Manufacturing Co., Inc.(rag, ) (Entered: 09/27/2004)
10/29/2004	5 F	FIFTH AMENDED COMPLAINT amending 3 Amended Complaint against all defendants.Document filed by American Distilling & Manufacturing Co., Inc. Related document: 3 Amended Complaint, filed by American Distilling & Manufacturing Co., Inc.(cd, ) (Entered: 12/07/2004)
11/30/2004	4 S	SUPPLEMENTAL SUMMONS ISSUED as to Amerada Hess Corp., American Refining Group, Inc., Atlantic Richfield Co., Atofina Petrochemicals, Inc., BP Amoco Chemical Co., BP Products North America, Inc., Buckley Energy Group, Ltd., Buckley Gasoline Marketers, Inc., Chevron Texaco Corporation, Chevron USA Inc., Citgo Petroleum Corp., Citgo Refining & Chemicals Co, LP, Coastal Eagle Point Oil Co, Coastal Mobile Refining Co, Coastal Oil New England, Colorado Refining Company, Conocophillips, Co., Consumer's Petroleum of Connecticut, Inc., Crown Central Petroleum Corp., El Paso CGP Co, El Paso Corp, El Paso Merchant Energy-Petroleum Co, Equilon Ent LLC, Equistar Chemicals, LP, Exxon Mobil Corp., Exxon Mobile Chemical Co, Inc, Exxonmobil Oil Corp., Exxonmobil Pipe Line Co, FHR/GP, LLC., FLINT HILLS RESOURCES, LP., GIANT YORKTOWN, INC., Getty Petroleum Mktg, Inc, Getty Properties Corp., Gulf Oil LP, LYONDELL-CITGO REFINING, LP., Louis Dreyfus Corporation, Louis Dreyfus HoldingnCompany, Inc., Lyondell Chemical Co., Lyondell Petrochemical GP, Inc., MOBIL CORPORATION,



		tapes. They should use Section A of the Court's proposed Document Retention Questionnaire as a starting point for discussions. Defendants shall submit responses to Sections B and C of the Questionnaire to the Court and plaintiffs by 2/3/05 (Signed by Judge Shira A. Scheindlin on 1/14/05) Original entry in 00cv1898 document number 458.(yv, ) (Entered: 01/21/2005)
01/18/2005		NOTICE of Voluntary Dismissal of defendant Sinclair Oil Corp., without prejudice and with each party bearing its own costs, pursuant to Rule 41(a)(1) of the F.R.C.P.(Orig filed in 00 CV 1898) (Signed by Judge Shira A. Scheindlin on 1/13/05) (jf, ) (Entered: 01/25/2005)
01/19/2005		Joinder of Certain dfts in the motion to dismiss the Connecticut complaints pursuant to FRCP 12(b)(6). Document filed by American Refining Group, Inc., Atofina Petrochemicals, Inc., Coastal Oil New England, Colorado Refining Company, PDV Midwest Refining, LLC, Placid Refining Co., LLC, TMR Company, TPI PETROLEUM, INC., Valero Refining Company. Original document filed in case #00cv1898, document #478.(dle, ) (Entered: 02/02/2005)
01/20/2005	6 AF	FIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. American Refining Group, Inc. served on 12/10/2004, answer due 12/30/2004. Service was accepted by Joseph M. Brian. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	7 AF	FIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	8 AF	FIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Coastal Oil New England served on 12/15/2004, answer due 1/4/2005. Service was accepted by Debra Broussard. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	9 AF	FIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	10	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	11	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. LYONDELL-CITGO REFINING, LP; served on 12/15/2004, answer due 1/4/2005. Service was accepted by Lyn Keys. Document filed by American Distilling & Manufacturing Co., Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	12	AFFIDAVIT OF SERVICE of Summons and Fifth Amended Complaint. Placid Refining Co., LLC served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by American Distilling

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01721-SAS**

United Water CT, Inc. v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: U.S.D.C. - DCT, 3:03-cv-2017  
Cause: 28:1332 Diversity-Product Liability

Date Filed: 03/01/2004  
Date Terminated: 06/07/2010  
Jury Demand: Defendant  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****United Water CT, Inc.**

represented by **C. Sanders McNew**  
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*LEAD ATTORNEY*

**Dianne Leverrier**  
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**Robert J. Gordon**  
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**Robin Greenwald**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stanley N. Alpert**  
The Alpert Firm

		Phibro, Inc., Premcor Refining Group Inc., Santa Fuel, Inc., Santa Holding Company, Shell Oil Co., Shell Oil Products Co, Shell Oil Products Co, LLC, Shell Petroleum Inc., Shell Trading (US) Co, Simar Oil, Inc., Sunoco Inc (R&M), Sunoco Inc., Texaco Refining & Marketing (East) Inc., Texaco, Inc., Texas Refining and Marketing Inc., Tosco Corp., UNOCAL Corp, United Crude Oil, Inc., Valero Energy Corp., Valero Marketing & Supply Co, Valero Refining & Marketing Co.Document filed by United Water CT, Inc.(rag, ) Modified on 9/24/2004 (rag, ). (Entered: 09/24/2004)
10/29/2004	5	SIXT H AMENDED COMPLAINT against Amerada Hess Corp., American Refining Group, Inc., Atlantic Richfield Co., Atofina Petrochemicals, Inc., BP Amoco Chemical Co, Ind, BP Products North America Inc, Ind, Buckley Energy Group, Ltd., Buckley Gasoline Marketers, Inc., Chevron Texaco Corp, Chevron USA Inc., Citgo Petroleum Corp., Citgo Refining and Chemicals Co LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Co, Coastal Oil New England, Colorado Refining Company, ConocoPhillips Co, Consumer's Petroleum of Connecticut, Inc., Crown Central Petroleum Corp., El Paso CGP Co, El Paso Corp, El Paso Merchant Energy-Petroleum Co, Equilon Ent, LLC, Equistar Chemicals, L.P., Exxonmobil Chemical Co Inc, Exxonmobil Corp., Exxonmobil Oil Corp., Exxonmobil Pipe Line Co, FHR/GP, LLC., FLINT HILLS RESOURCES, LP., GIANT YORKTOWN, INC.;; Getty Petroleum Marketing Inc., Getty Properties Corp., Gulf Oil LP, LYONDELL-CITGO REFINING, LP;; Louis Dreyfus Corporation, Louis Dreyfus Holding Company, Inc., Lyondell Chemical Co., Lyondell Petrochemical GP, Inc., Mercury Fuel Service, Incorporated, Mobil Corporation, Motiva Ent LLC, PDV Midwest Refining, LLC, Phibro, Inc., Placid Refining Co., LLC, Premcor Refining Group Inc., Santa Fuel, Inc., Santa Holding Company, Shell Oil Co., Shell Oil Products Co, Shell Oil Products Co, LLC, Shell Petroleum Inc., Shell Trading (US) Co, Simar Oil, Inc., Sinclair Oil Corporation, Sunoco Inc (R&M), Sunoco Inc., TMR Company, TPI PETROLEUM, INC.;; Texaco Refining & Marketing (East) Inc., Texaco, Inc., Texas Refining and Marketing Inc., Tosco Corp., UNOCAL Corp, Union Oil Company of California, United Crude Oil, Inc., United Refining Company, Valero Energy Corp., Valero Marketing & Supply Co, Valero Refining & Marketing Co, Valero Refining Company.Document filed by United Water CT, Inc.(sac, ) (Entered: 12/02/2004)
11/30/2004	6	SUP PLEMENTAL SUMMONS ISSUED. (yv, ) (Entered: 12/08/2004)
01/18/2005		CASE MANAGEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since that time, the parties have asked the Court to amend CMO #4 to incorporate certain agreed upon language and the findings of the Special Master. There is no reason to deny the request. Accordingly, CMO #4 is modified to the extent as further set forth in this Order. Case Management Order #5 requires newly added defendants to file Rule 12 motions or other responsive pleadings by

01/20/2005	9	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	10	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. Coastal Oil New England served on 12/14/2004, answer due 1/3/2005. Service was accepted by Debra Broussard. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	11	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	12	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	13	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. LYONDELL-CITGO REFINING, LP; served on 12/15/2004, answer due 1/4/2005. Service was accepted by Lyn Keys. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	14	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. Placid Refining Co., LLC served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	15	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Sinclair Oil Corporation served on 12/10/2004, answer due 12/30/2004. Service was accepted by Nikki Chapple. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	16	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. TPI PETROLEUM, INC.; served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	17	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. United Refining Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/20/2005	18	AFFIDAVIT OF SERVICE of Summons and Sixth Amended Complaint. Valero Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by United Water CT, Inc. (kw, ) (Entered: 02/03/2005)
01/27/2005	19	NOTICE of Appearance by Thomas M. Farrell on behalf of LYONDELL-CITGO REFINING, LP. (jco, ) (Entered: 02/15/2005)
02/18/2005		MOTION (FILED ON SERVICE DATE) to Dismiss for Lack of Jurisdiction.

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01726-SAS**

New Jersey American WaterCo., Inc. v. Amereda Hess Corp.

Assigned to: Judge Shira A. Scheindlin

Lead case: [1:00-cv-01898-SAS-DCF](#)

Member case: ([View Member Case](#))

Related Case: [1:00-cv-01898-SAS-DCF](#)

Case in other court: USDC-DNJ, 1:03-cv-5562

Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 03/02/2004

Date Terminated: 03/31/2011

Jury Demand: Both

Nature of Suit: 365 Personal Inj. Prod.

Liability

Jurisdiction: Federal Question

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**New Jersey American Water  
Company, Inc.**

*TERMINATED: 08/19/2005*

represented by **C. Sanders McNew**  
Weitz & Luxenberg, P.C.  
180 Maiden Lane  
New York, NY 10038  
(212) 558-5500  
*LEAD ATTORNEY*

**Hannah Lim**  
Weitz & Luxenberg, P.C.  
180 Maiden Lane  
New York, NY 10038  
(212)558-5500  
*LEAD ATTORNEY*

**Joseph J. McGovern**  
Parker, McCay & Criscuolo, P.A.  
Three Greentree Centre  
Route 73 & Greentree Road  
Suite 401, P.O. Box 974  
Marlton, NJ 08053  
(856) 596-8900  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert J. Gordon**  
Weitz & Luxenberg  
180 Maiden Lane  
New York, NY 10038  
(212) 558-5500

		take discovery regarding the quantity of oxygenates available to implement the Reformulated Gasoline Program. This discovery is aimed at preparing defendants' potential motion for summary judgment based on the impossibility of complying with both state and federal requirements. At this time, they are not permitted to take discovery regarding frustration of purpose. To the extent there are no genuine issues of material fact, defendants may bring a summary judgment motion based on the impossibility prong of conflict preemption. They may argue frustration of purpose only to the extent it is based on the same factual predicate as the impossibility argument. The parties shall meet and confer regarding the preservation of "current" back-up tapes. They should use Section A of the Court's proposed Document Retention Questionnaire as a starting point for discussions. Defendants shall submit responses to Sections B and C of the Questionnaire to the Court and plaintiffs by 2/3/05 (Signed by Judge Shira A. Scheindlin on 1/14/05) Original entry in 00cv1898 document number 4583(yv, ) (Entered: 01/24/2005)
01/18/2005		NOTICE of Voluntary Dismissal of defendant Sinclair Oil Corp., without prejudice and with each party bearing its own costs, pursuant to Rule 41(a)(1) of the F.R.C.P.(Orig filed in 00 CV 1898) (Signed by Judge Shira A. Scheindlin on 1/13/05) (jf, ) (Entered: 01/25/2005)
01/19/2005	6	FFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, American Refining group Inc. served on 1/11/2005, answer due 1/31/2005. Service was accepted by K. West. Document filed by New Jersey American Water Company, Inc.. (cd, ) (Entered: 01/26/2005)
01/19/2005	7	FFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, American Refining group Inc. served on 12/14/2004, answer due 1/3/2005. Service was accepted by Nicole Sablich. Document filed by New Jersey American Water Company, Inc.. (cd, ) (Entered: 01/26/2005)
01/19/2005	8	FFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, Atofina Petrochemicals Inc. served on 12/17/2004, answer due 1/6/2005. Service was accepted by Amy Cope-Gibbs. Document filed by New Jersey American Water Company, Inc.. (cd, ) (Entered: 01/26/2005)
01/19/2005	9	FFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, Coastal Oil New England served on 12/14/2004, answer due 1/3/2005. Service was accepted by Marg Phillips. Document filed by New Jersey American Water Company, Inc.. (cd, ) (Entered: 01/26/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by New Jersey American Water Company, Inc.. (cd, ) (Entered: 01/26/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and 7th Amended Complaint,,,,,,,,,,,,, Giant Yorktown inc. served on 12/14/2004, answer due 1/3/2005. Service was accepted by Marg Phillips. Document filed by New

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:07-cv-02407-SAS**

City of Greenlawn Water District v. Amerada Hess  
Corporation et al  
Assigned to: Judge Shira A. Scheindlin  
Lead case: [1:00-cv-01898-SAS-DCF](#)  
Member case: ([View Member Case](#))  
Related Case: [1:00-cv-01898-SAS-DCF](#)  
Cause: 28:1331 Fed. Question: Other

Date Filed: 03/23/2007  
Date Terminated: 12/01/2008  
Jury Demand: Plaintiff  
Nature of Suit: 385 Prop. Damage Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****City of Greenlawn Water District**

represented by **David T. Ritter**  
Baron & Budd, P.C.  
3102 Oak Lawn Avenue, Suite 1100  
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**Marc Jay Bern**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Amerada Hess Corporation****Defendant****Ashland, Inc.****Defendant****Atlantic Richfield Company**  
*individually*

represented by **Christopher J. Esbrook**  
Kirkland & Ellis LLP (IL)

*doing business as*  
Arco Products Company  
*also known as*  
Arco

300 North LaSalle Street  
Chicago, IL 60654  
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Fax: (312)-862-2200  
Email:  
christopher.esbrook@kirkland.com  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
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**Khara A. Coleman**  
Kirkland & Ellis LLP (IL)  
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**TERMINATED: 07/27/2009**  
**LEAD ATTORNEY**  
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**Christina Lynn Henk**  
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**Sylvia Nichole Winston**  
Kirkland & Ellis LLP  
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(312) 862-7184  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Chevrontexaco Corporation**  
*individually*  
*successor in interest*  
Texaco, Inc.  
*successor in interest*  
Chevron Corporation

represented by **David A. Grenardo**  
King & Spalding LLP (TX)  
1100 Louisiana  
Houston, TX 77002  
(713) 276-7329  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**James J. Maher**  
King & Spalding LLP  
401 Congress Avenue Suite 3200  
Austin, TX 78701



713 276 7403  
Fax: 713 751 3290  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Chevron U.S.A., Inc.**  
*individually*  
*doing business as*  
Chevron Chemical Company  
*doing business as*  
Chevron Products Company  
*formerly known as*  
Gulf Oil Corporation

represented by **David A. Grenardo**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**James J. Maher**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Citgo Petroleum Corporation**

**Defendant**

**Citgo Refining and Chemicals  
Company, LP**

**Defendant**

**Coastal Eagle Point Oil Company**

represented by **Keara L. Kelley**  
Howrey LLP (DC)  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Coastal Oil New England**

**Defendant**

**Colorado Refining Company**

**Defendant**

**ConocoPhillips Company**  
*individually*  
*doing business as*  
**Phillips 66 Company**  
*formerly known as*  
**Phillips Petroleum Company**  
*successor in interest*  
**Tosco Corporation**

**Defendant**

**Crown Central Petroleum Corporation**

**Defendant**

**El Paso Merchant Energy-Petroleum Company**  
*individually*  
*formerly known as*  
**Coastal States Trading, Inc.**  
*formerly known as*  
**Coastal Refining and Marketing, Inc.**

represented by **Keara L. Kelley**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lesly K. Lawrence-Hammer**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Grace Leigh Chan**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Equilon Enterprises, LLC**  
*individually*  
*successor in interest*  
**Equiva Services, LLC**  
*doing business as*  
**Shell Oil Products US**

represented by **Alec C. Zacaroli**  
**Wallace King Domike & Reiskin, PLLC**  
2900 K Street, N.W.  
Harbourside, Suite 500  
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**Jan C. Rodriguez-Munoz**  
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**Juan A. Marques-Diaz**  
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(787) 250-2619  
Fax: (787) 759-2792  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Equistar Chemicals, LP**

**Defendant**

**Exxonmobil Chemical Company, Inc.**

*individually*  
*formerly known as*  
Mobil Chemical Company, Inc.

**Defendant**

**ExxonMobil Corporation**  
*doing business as*  
Exxon Chemical U.S.A.  
*doing business as*  
ExxonMobil Chemical Corporation  
*formerly known as*  
Exxon Corporation  
*doing business as*  
Exxonmobil Refining and Supply  
Company

**Defendant**

**ExxonMobil Oil Corporation**

**Defendant**

**Flint Hills Resources, LP**  
*formerly known as*

represented by **William P. Childress**  
Hunton & Williams, LLP (Richmond)

Koch Petroleum Group, LP

VA)  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, VA 23219  
(804) 788-8200  
Fax: (804) 788-8218  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Getty Petroleum Marketing, Inc.**

**Defendant**

**Getty Properties Corporation**  
*individually*  
*formerly known as*  
Getty Petroleum Corp.

**Defendant**

**Giant Yorktown, Inc.**

**Defendant**

**Gulf Oil Limited Partnership**  
*formerly known as*  
Catamount Petroleum Limited  
Partnership

represented by **Anthony A. Orlandi**  
Goodwin Procter, LLP (Boston)  
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Fax: (617) 523-1231  
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*LEAD ATTORNEY*  
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**Nicole L. Picard**  
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53 State Street, Exchange Place  
Boston, MA 02109  
(617) 570-1000  
Fax: (617) 523-1231  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Huntsman Corporation**

represented by **Robert Laurent Joyce**  
Littleton Joyce Ughetta Park & Kelly  
LLP(Purchase)  
1 Manhattanville Road, Suite 302  
Purchase, NY 10577  
(914)-417-3419  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Irving Oil Corporation**

**Defendant**

**Irving Oil, Limited**

**Defendant**

**Lukoil Americas**

**Defendant**

**Lyondell Chemical Company**  
*individually*  
*formerly known as*  
**Lyondell Petrochemical Company**  
*formerly known as*  
**Arco Chemical Company**

**Defendant**

**Lyondell-Citgo Refining, LP**

**Defendant**

**Marathon Ashland Petroleum, LLC**

**Defendant**

**Marathon Oil Company**

**Defendant**

**Mobil Corporation**

**Defendant**

**Motiva Enterprises, LLC**  
*formerly known as*  
**Star Enterprises, LLC**

represented by **Alec C. Zacaroli**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jan C. Rodriguez-Munoz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Juan A. Marques-Diaz**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

APPEAL, ECF, MDL, RELATED

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:04-cv-03417-SAS**

The City of New York v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: [1:00-cv-01898-SAS-DCF](#)  
Member case: [\(View Member Case\)](#)  
Related Case: [1:00-cv-01898-SAS-DCF](#)  
Case in other court: USDC-EDNY, 2:04-cv-860  
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 05/04/2004  
Jury Demand: Both  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****The City of New York**

represented by **Daniel Patrick Greene**  
New York City Law Depart. Office of the  
Corporation Counsel  
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New York, NY 10007  
(212)-788-1568  
Fax: (212)-788-1619  
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**LEAD ATTORNEY**

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Fax: (214) 520-1181  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Michael A. Cardozo**  
Corporation Counsel Office City of New  
York  
100 Church Street  
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212-788-0303  
Fax: 212-2275641  
Email: [mcardozo@law.nyc.gov](mailto:mcardozo@law.nyc.gov)  
**LEAD ATTORNEY**

**Ramin Pejan**

		Service was accepted by Maureen Cogan of the Corporation Service Company. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	12	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. BP America, Inc. served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	13	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. Giant Yorktown, Inc. served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	14	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. BP Amoco Chemical Company, Inc. served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	15	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. Duke Energy Merchants, LLC served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	16	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. Equistar Chemicals, LP served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	17	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. Vitol S.A. served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/03/2005	18	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. George E. Warren Corporation served on 12/22/2004, answer due 1/11/2005. Service by personal service c/o CT Corporation System. Document filed by The City of New York. (kw, ) (Entered: 02/07/2005)
02/17/2005	21	SUMMONS RETURNED EXECUTED Summons and Amended Complaint served. Citgo Petroleum Corporation served on 12/28/2004, answer due 1/18/2005. Service was accepted by Kyle Tresch, Asst. Sec'y to Corporate Counsel. Document filed by The City of New York. (attached svcs previously dkted) (djc, ) (Entered: 03/10/2005)
02/18/2005		MOTION (FILED ON SERVICE DATE) to Dismiss for Lack of Jurisdiction. Document filed by Equistar Chemicals, LP. (orig fld in 00-1898, doc #524) (cd, ) (Entered: 04/18/2005)
02/18/2005		MEMORANDUM OF LAW in Support re: MOTION (FILED ON SERVICE DATE) to Dismiss for Lack of Jurisdiction.. Document filed by Equistar Chemicals, LP. (orig fld in 00-1898, doc #528) (cd, ) (Entered: 04/18/2005)
02/23/2005	19	AFFIDAVIT OF SERVICE of Summons and Amended Complaint as to

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-05423-SAS**

Franklin Square Water District v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: USDC-EDNY, 2:04-cv-1281  
Cause: 28:1332 Diversity-Other Contract

Date Filed: 07/13/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 368 P.I. : Asbestos  
Jurisdiction: Federal Question

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Franklin Square Water District**

represented by **April J. Warner**  
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		<p>conflict preemption. They may argue frustration of purpose only to the extent it is based on the same factual predicate as the impossibility argument. The parties shall meet and confer regarding the preservation of "current" back-up tapes. They should use Section A of the Court's proposed Document Retention Questionnaire as a starting point for discussions. Defendants shall submit responses to Sections B and C of the Questionnaire to the Court and plaintiffs by 2/3/05 (Signed by Judge Shira A. Scheindlin on 1/14/05) Original entry in 00cv1898 document number 458.(yv, ) (Entered: 01/24/2005)</p>
01/18/2005		<p>NOTICE of Voluntary Dismissal of Defendant Sinclair Oil, pursuant to Rule 41(a)(1) of the F.R.C.P. (Signed by Judge Shira A. Scheindlin on 1/13/05) (jf, )(jf, ) (Entered: 01/26/2005)</p>
01/19/2005		<p>Joinder of certain dfts in the motion to dismiss the New York complaints pursuant to FRCP 12(b)(6). Document filed by American Refining Group, Inc., Ashland Inc., Coastal Oil New England, Inc., Colorado Refining Company, Duke Energy Marketing, California, Inc., Duke Energy Merchants, LLC, Duke Energy Trading and Marketing, LLC, Exxon Chemical U.S.A., Giant Yorktown, Inc., Lyondell Chemical Company, Marathon Ashland Petroleum LLC, Marathon II Company, Northridge Petroleum Marketing U.S. Inc., PDV Midwest Refining, LLC, Placid Refining Company LLC, Shell Oil Products Company LLC, TMR Company, Total Petrochemicals USA, Inc., TPI Petroleum, Inc., TRMI Holdings, Inc., Valero Refining Company. Modified on 2/2/2005 (dle, )Original document filed in case #00cv1898, document #480. (Entered: 02/02/2005)</p>
01/20/2005	3 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. American Refining Group, Inc. served on 12/10/2004, answer due 12/30/2004. Service was accepted by American Refining Group Inc.. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)</p>
01/20/2005	4 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. Ashland, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)</p>
01/20/2005	5 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)</p>
01/20/2005	6 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. Coastal Oil New England served on 12/14/2004, answer due 1/3/2005. Service was accepted by Debra Broussard. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)</p>
01/20/2005	7 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)</p>
01/20/2005	8 A	<p>FFIDAVIT OF SERVICE of Summons and Amended Complaint. Giant</p>

		Yorktown, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	9 A	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Lyondell-Citgo Refining, LP served on 12/15/2004, answer due 1/4/2005. Service was accepted by Lyn Keys. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	10	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	11	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	12	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Placid Refining Company, LLC, served on 12/10/2004, answer due 12/30/2004. Service was accepted by Ron Hurst. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	13	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Sinclair Oil Corporation served on 12/10/2004, answer due 12/30/2004. Service was accepted by Nikki Chapple. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	14	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. TPI Petroleum, Inc. served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	15	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. United Refining Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/20/2005	16	AFFIDAVIT OF SERVICE of Summons and Amended Complaint. Valero Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Franklin Square Water District. (kw, ) (Entered: 01/28/2005)
01/27/2005	17	NOTICE of Appearance by Thomas M> Farrell on behalf of Lyondell-Citgo Refining, LP (jco, ) (Entered: 02/14/2005)
03/17/2005		NOTICE OF RULE 41(a)(1)(i) DISMISSAL OF DEFENDANT LYONDELL PETROCHEMICAL G.P. INC., NOW KNOWN AS LYONDELL LP4 INC. Pursuant to Rule 41(a)(1)(i) of the F.R.C.P., Plaintiffs in each of the actions referenced above, by counssel, hereby dismiss without prejudice Lyondell Petrochemical G.P., Inc., now Lyondell PL4 Inc. from each of the above-referenced actions, with each party to bear its own costs.

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-05421-SAS**

Hicksville Water District v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: USDC-EDNY, 2:04-cv-1278  
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 07/13/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****Hicksville Water District**

represented by **C. Sanders McNew**  
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**Dianne K. Le Verrier**  
Weitz & Luxenberg, P.C.  
180 Maden Lane

08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/04/2004		Mailed letter to the United States District Court - Eastern District of New York acknowledging receipt of their entire file, a certified copy of the transfer order and docket entries. (laq, ) (Entered: 10/04/2004)
10/04/2004		Mailed notice to the attorney(s) of record. (laq, ) (Entered: 10/04/2004)
10/29/2004	2 A	<p>MENDED COMPLAINT against Amerada Hess Corp., American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, individually, Atofina Petrochemicals, Inc., BP Amoco Chemical Company, BP Products North America, Inc., Chevron Texaco Corporation, Chevron U.S.A., Inc., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, LP, Coastal Oil New England, Colorado Refining Company, Conoco Phillips Company,, Crown Central Petroleum Corporation, El Paso Cgp Company,, El Paso Corporation, El Paso Merchant Energy Petroleum Company,, Equilon Enterprises, LLC,, Equistar Chemicals, L.P., ExxonMobil Oil Corporation, Exxonmobil Chemical Company, Inc., Exxonmobil Corporation,, FHR/GP, LLC,, FLINT HILLS RESOURCES, LP,, GIANT YORKTOWN, INC.;; Getty Petroleum Marketing, Inc., Getty Properties Corporation,, Gulf Oil, LP, Koch Industries, Inc., LYONDELL-CITGO REFINING, LP;; Lyondell Chemical Company,, Lyondell Petrochemical GP, Inc., Marathon Ashland Petroleum, LLC, Marathon Oil Company,, Mobil Corporation, Motiva Enterprises, LLC,, PDV Midwest Refining, LLC, PLACID REFINING COMPANY, LLC;; Premcor, Inc., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc., Sunoco, Inc. (R&amp;M),, TEXACO REFINING &amp; MARKETING INC.;; TMR Company, TPI PETROLEUM, INC.;; Texaco Refining &amp; Marketing (East), Inc., Texaco, Inc., The Premcor Refining Group, Inc., Tosco Corporation,, United Refining Company, Unocal Corporation,, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company.Document filed by Hicksville Water District.(jco, ) (Entered: 12/14/2004)</p>
01/18/2005		<p>CASE MANAFEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since that time, the parties have asked the Court to amend CMO #4 to incorporate certain agreed upon language and the findings of the Special Master. There is no reason to deny the request. Accordingly, CMO #4 is modified to the extent as further set forth in this Order. Case Management Order #5 requires newly added defendants to file Rule 12 motions or other responsive pleadings by</p>

		Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	6 A	FFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	7 A	FFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	8 A	FFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, LYONDELL-CITGO REFINING, LP; served on 12/14/2004, answer due 1/3/2005. Service was accepted by Lyn Keys. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	9 A	FFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, Marathon Oil Company, served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/elena Bou. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, PLACID REFINING COMPANY, LLC; served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	12	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, Sinclair Oil Corporation served on 12/10/2004, answer due 12/30/2004. Service was accepted by Nikki Chapple. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	13	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, TPI PETROLEUM, INC.; served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	14	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, United Refining Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	15	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,, Valero Energy Corporation served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Hicksville Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005		Joinder of certain dfts in the motion to dismiss the New York complaints pursuant to FRCP 12(b)(6). Document filed by American Refining Group,



06/17/2004	<p>2 SE COND AMENDED COMPLAINT against Amerada Hess Corp., Atlantic Richfield Company, BP Amoco Chemical Company, BP Products North America, Inc., BP Products North Americas, Inc., Chevron Texaco Corporation, Chevron U.S.A., Inc., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company LP, Conoco Phillips Company, Crown Central Petroleum Corporation, El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy -Petroleum Company, Equilon Enterprises, LLC, Exxon Mobil Chemical Company, Inc., ExxonMobil Corporation, ExxonMobil Oil Corporation, Getty Petroleum Marketing, Inc., Getty Properties Corporation, Gulf Oil, LP, Koch Industries Inc., Lyondell Chemical Company, Mobil Corporation, Motiva Enterprises, LLC, Premcor, Inc., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sunoco, Inc., Sunoco, Inc. (R&amp;M), Texaco Refining &amp; Marketing (East) Inc., Texaco Refining &amp; Marketing, Inc., Texaco, Inc., The Premcor Refining Group Inc., Tosco Corporation, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining and Marketing Company. Document filed by Incorporated Village of Sands Point.(tp, ) (Entered: 06/21/2004)</p>
08/19/2004	<p>MEMORANDUM OF LAW in Opposition to Defendants' Motion to Dismiss the New York Complaints and Amended Complaints Pursuant to F.R.C.P. 12 (b)(6). Document filed by Incorporated Village of Sands Point. Original document filed in case no. M21-88. doc. #99. (kkc, ) (Entered: 08/20/2004)</p>
08/30/2004	<p>NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004).</p>
10/29/2004	<p>3 TH IRD AMENDED COMPLAINT amending 2 Amended Complaint, against Amerada Hess Corp., American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals, Inc., BP Amoco Chemical Company, BP Products North America, Inc., COASTAL OIL NEW ENGLAND, Chevron Texaco Corporation, Chevron U.S.A., Inc., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company LP, Colorado Refining Company, Conoco Phillips Company, Crown Central Petroleum Corporation, El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy -Petroleum Company, Equilon Enterprises, LLC, Equistar Chemicals, L.P., Exxon Mobil Chemical Company, Inc., ExxonMobil Corporation, ExxonMobil Oil Corporation, FHR/GP, LLC,, FLINT HILLS RESOURCES, LP,, GIANT YORKTOWN, INC.,, Getty Petroleum Marketing, Inc., Getty Properties Corporation, Gulf Oil, LP, LYONDELL-CITGO REFINING, LP,, Lyondell Chemical Company, Lyondell Petrochemical GP, Inc., Marathon Ashland Petroleum, LLC, Marathon Oil Company, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, PLACID REFINING COMPANY, LLC,, Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc., Sunoco, Inc.</p>

		submit responses to Sections B and C of the Questionnaire to the Court and plaintiffs by 2/3/05 (Signed by Judge Shira A. Scheindlin on 1/14/05) Original entry in 00cv1898 document number 458.(yv, ) (Entered: 01/24/2005)
01/18/2005		NOTICE of Voluntary Dismissal of Defendant Sinclair Oil, pursuant to Rule 41(a)(1) of the F.R.C.P.(Orig filed in 00 CV 1898) (Signed by Judge Shira A. Scheindlin on 1/13/05) (jf, ) (jf, ) (Entered: 01/26/2005)
01/19/2005	4	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Ashland, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	5	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Atofina Petrochemicals, Inc., served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	6	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, COASTAL OIL NEW ENGLAND served on 12/14/2004, answer due 1/3/2005. Service was accepted by Debra Broussard. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	7	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	8	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	9	▲ FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, LYONDELL-CITGO REFINING, LP; served on 12/14/2004, answer due 1/3/2005. Service was accepted by Ct Corp/Lyn Keys. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Marathon Ashland Petroleum, LLC. (cd, ) (Entered: 01/25/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)
01/19/2005	12	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, PLACID REFINING COMPANY, LLC; served on 12/10/2004, answer due 12/30/2004. Service was accepted by Ron Hurst. Document filed by Incorporated Village of Sands Point. (cd, ) (Entered: 01/25/2005)



CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-02068-SAS**

Long Island Water Corporation v. Amerada Hess Corporation  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 03/16/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 893 Environmental Matters  
Jurisdiction: Federal Question

**Texaco, Inc.**  
*TERMINATED: 09/18/2008*

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Long Island Water Corporation**

represented by **C. Sanders McNew**  
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(212) 558-5500  
*LEAD ATTORNEY*

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**Eileen Clarke**  
Weitz & Luxenberg, P.C.  
180 Maiden Lane

		06/18/2004)
08/19/2004		MEMORANDUM OF LAW in Opposition to Defendants' Motion to Dismiss the New York Complaints and Amended Complaints Pursuant to F.R.C.P. 12 (b)(6). Document filed by Long Island Water Corporation. Original document filed in case no. M21-88. doc. #99. (kkc, ) (Entered: 08/20/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	4	FOURTH AMENDED COMPLAINT against Amerada Hess Corporation, American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals Inc., BP Amoco Chemical Company, BP Products North America, Inc., BP Products North Americas, Inc., Chevron U.S.A., Inc., ChevronTexaco Corp., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, LP, Coastal Oil New England, Colorado Refining Company, Conocophillips Company,, Crown Central Petroleum Corporation, El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy Petroleum Company, Equilon Enterprises, LLC., Equistar Chemicals L.P., Exxonmobil Chemical Company Inc., Exxonmobil Corporation, Exxonmobil Oil Corporation, FHR/GP, LLC., Flint Hills Resources, LP, Getty Petroleum Marketing, Inc., Getty Properties Corporation, Giant Yorktown, Inc., Gulf Oil, L.P., Lyondell Chemical Company, Lyondell Petrochemical GP, Inc., Lyondell-Citgo Refining, LP,, Marathon Ashland Petroleum, L.L.C, Marathon Oil Co., Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC., Placid Refining Company, LLC., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc., Sunoco, Inc. (R&M), TMR Company, TPI Petroleum, Inc.,, Texaco Inc., Texaco Refining & Marketing (East) Inc., Texaco Refining & Marketing Inc, The Premcor Refining Group, Inc., Tosco Corporation, Union Oil Company of California, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company. Document filed by Long Island Water Corporation.(dle, ) (Entered: 12/10/2004)
10/29/2004		Set Answer Due Date re: 4 Amended Complaint,,,,,, as to Amerada Hess Corporation answer due on 11/8/2004; American Refining Group, Inc. answer due on 11/8/2004; Ashland, Inc. answer due on 11/8/2004; Atlantic Richfield Company answer due on 11/8/2004; Atofina Petrochemicals Inc. answer due on 11/8/2004; BP Amoco Chemical Company answer due on 11/8/2004; BP Products North America, Inc. answer due on 11/8/2004; BP Products North Americas, Inc., answer due on 11/8/2004; Chevron U.S.A., Inc., answer due on 11/8/2004; ChevronTexaco Corp. answer due on 11/8/2004; Citgo Petroleum Corporation answer due on 11/8/2004; Citgo Refining and Chemicals Company, LP answer due on 11/8/2004; Coastal Eagle Point Oil Company answer due on 11/8/2004; Coastal Mobile Refining Company, LP answer due on 11/8/2004; Coastal Oil New England answer due on

02/02/2005	5	A FFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Coastal Oil New England served on 11/18/2004, answer due 12/8/2004. Service was accepted by Deborah Broussard. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	6	A FFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. American Refining Group, Inc. served on 11/9/2004, answer due 11/29/2004. Service was accepted by K. West. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	7	A FFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Ashland, Inc. served on 11/10/2004, answer due 11/30/2004. Service was accepted by Angela Solomon. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	8	A FFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Atofina Petrochemicals Inc. served on 11/10/2004, answer due 11/30/2004. Service was accepted by Angela Solomon. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	9	A FFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Colorado Refining Company served on 11/12/2004, answer due 12/2/2004. Service was accepted by Gretchen Groos. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	10	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Giant Yorktown, Inc., served on 11/10/2004, answer due 11/30/2004. Service was accepted by Angela Solomon. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	11	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Lyondell-Citgo Refining, LP, served on 11/11/2004, answer due 12/1/2004. Service was accepted by Lynn Key. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	12	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Marathon Oil Co. served on 11/10/2004, answer due 11/30/2004. Service was accepted by Angela Solomon. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	13	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Marathon Ashland Petroleum, L.L.C served on 11/10/2004, answer due 11/30/2004. Service was accepted by Angela Solomon. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	14	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Placid Refining Company, LLC, served on 11/12/2004, answer due 12/2/2004. Service was accepted by Ron Hurst. Document filed by Long Island Water Corporation. (kw, ) (Entered: 02/07/2005)
02/02/2005	15	AFFIDAVIT OF SERVICE of Summons and Fourth Amended Complaint. Sinclair Oil Corporation served on 11/8/2004, answer due 11/28/2004. Service was accepted by Nikki Chapple. Document filed by Long Island

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-03415-SAS**

Port Washington Water District v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: [1:00-cv-01898-SAS-DCF](#)  
Member case: ([View Member Case](#))  
Case in other court: USDC-EDNY, 2:04-cv-381  
Cause: 28:1331 Fed. Question: Railway Labor Act

Date Filed: 05/04/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****Port Washington Water District**

represented by **David T. Ritter**  
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**Robin Greenwald**  
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New York, NY 10038

		filed in case no. M21-88. doc. #99. (kkc, ) (Entered: 08/20/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	3 TH	IRD AMENDED COMPLAINT amending 2 Amended Complaint against Amerada Hess Corporation, American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals, Inc., BP Amoco Chemical Company, BP Products North America, Inc., BP Products North Americas, Inc., Chevron U.S.A., Inc., ChevronTexaco Corp., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, LP, Coastal Oil New England,, Colorado Reining Company,, Conoco Phillips Company, Crown Central Petroleum Corporation, El Paso Cgp Company, El Paso Corporation, El Paso Merchant Energy Petroleum Company, Equilon Enterprises, LLC., Equistar Chemicals, L.P., ExxonMobil Chemical Company, Inc., ExxonMobil Oil Corporation, Exxonmobil Corporation, FHR/GP, LLC, FLINT HILLS RESOURCES, LP,, Getty Petroleum Marketing, Inc., Getty Properties Corporation, Giant Yorktown, Inc., Gulf Oil, LP, Lyondell Chemical Company, Lyondell Petrochemical GP, Inc., Lyondell-Citgo Refining, LP, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, Placid Refining Company, LLC,, Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc., Sunoco, Inc. (R&M), TMR Company, TPI Petroleum, Inc., Texaco Inc., Texaco Refining & Marketing (East) Inc., Texaco Refining & Marketing Inc., The Premcor Refining Group, Inc., Tosco Corporation, Union Oil Company of California,, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company. Document filed by Port Washington Water District. JURY TRIAL DEMANDED. Related document: 2 Amended Complaint filed by Port Washington Water District.(ae, ) (Entered: 11/10/2004)
01/18/2005		CASE MANAGEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since that time, the parties have asked the Court to amend CMO #4 to incorporate certain agreed upon language and the findings of the Special Master. There is no reason to deny the request. Accordingly, CMO #4 is modified to the extent as further set forth in this Order. Case Management Order #5 requires newly added defendants to file Rule 12 motions or other responsive pleadings by 1/18/05. However, that date does not give the parties enough time to meet and confer regarding potential Rule 12(b)(2) motions. Previous discussions between plaintiffs and the original defendants resulted in a number of

		Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	7 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Colorado Reining Company, served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Port Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	8 A	FFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,,,,, Giant Yorktown, Inc., served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Port Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	9 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Lyondell-Citgo Refining, LP, served on 12/14/2004, answer due 1/3/2005. Service was accepted by CT corp/Lyn Keys. Document filed by Port Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Marathon Ashland Petroleum LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Port Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint,,,,,,,,, Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Port Washington Water District. (cd, ) (Entered: 01/24/2005)
01/19/2005		Joinder of certain dfts in the motion to dismiss the New York complaints pursuant to FRCP 12(b)(6). Document filed by American Refining Group, Inc., Ashland Inc., Coastal Oil New England, Inc., Colorado Refining Company, Duke Energy Marketing, California, Inc., Duke Energy Merchants, LLC, Duke Energy Trading and Marketing, LLC, Exxon Chemical U.S.A., Giant Yorktown, Inc., Lyondell Chiminal Company, Marathon Ashland Petroleum LLC, Marathon II Company, Northridge Petroleum Marketing U.S. Inc., PDV Midwest Refining, LLC, Placid Refining Company LLC, Shell Oil Products Company LLC, TMR Company, Total Petrochemicals USA, Inc., TPI Petroleum, Inc., TRMI Holdings, Inc., Valero Refining Company. Modified on 2/2/2005 (dle, )Original document filed in case #00cv1898, document #480. (Entered: 02/02/2005)
01/27/2005	12	NOTICE of Appearance by Thomas M. Farrell on behalf of Lyondell-Citgo Refining, LP (jco, ) (Entered: 02/14/2005)
03/17/2005		NOTICE OF RULE 41(a)(1)(i) DISMISSAL OF DEFENDANT LYONDELL PETROCHEMICAL G.P. INC., NOW KNOWN AS LYONDELL LP4 INC. Pursuant to Rule 41(a)(1)(i) of the F.R.C.P., Plaintiffs in each of the actions referenced above, by counssel, hereby dismiss without prejudice Lyondell Petrochemical G.P., Inc., now Lyondell PL4 Inc. from each of the above-referenced actions, with each party to bear its own costs. Plaintiffs reserve all other rights as against all other defendants. (Original Doc. # 171 Filed In M21-88) (Signed by Judge Shira A. Scheindlin on 3/16/05) (dt, ). (Entered: 03/31/2005)

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-05422-SAS**

Roslyn Water District v. Amerada Hess Corp.  
Assigned to: Judge Shira A. Scheindlin  
Lead case: [1:00-cv-01898-SAS-DCF](#)  
Member case: [\(View Member Case\)](#)  
Case in other court: USDC-EDNY, 2:04-cv-1280  
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 07/13/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****Roslyn Water District**

represented by **C. Sanders McNew**  
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		1358, (gf, ) (Entered: 10/18/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/18/2004		Mailed letter to the United States District Court - Eastern District of New York acknowledging receipt of their entire file, a certified copy of the transfer order and docket entries. (gf, ) (Entered: 10/18/2004)
10/18/2004		Mailed notice to the attorney(s) of record. (gf, ) (Entered: 10/18/2004)
10/29/2004	2	FIRST AMENDED COMPLAINT against Amerada Hess Corp., American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals, Inc., BP Amoco Chemical Company,, BP Products North America, Inc., Chevron Texaco Corporation, Chevron U.S.A., Inc., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, LP, Colorado Refining Company, ConocoPhillips Company, Crown Central Petroleum Corporation, El Paso Cgp Company,, El Paso Corporation, El Paso Merchant Energy Petroleum Company, Equilon Enterprises, LLC, Equistar Chemicals, L.P., ExxonMobil Chemical Company, Inc., ExxonMobil Oil Corporation, Exxonmobil Corporation, FHR/GP, LLC,, Flint Hills Resources L.P., Getty Petroleum Marketing, Inc., Getty Properties Corporation, Giant Yorktown, Inc., Gulf Oil, LP, Koch Industries, Inc., Lyondell Chemical Company, Lyondell Petrochemical Gp, Inc., Lyondell-Citgo Refining, LP, Marathon Ashland Petroleum, LLC, Marathon Oil Company, Marathon Oil Corporation, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, Placid Refining Company, LLC,, Premcor, Inc., SUNOCO, INC., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company,, Sinclair Oil Corporation, Sunoco, Inc. (R&M),, TMR Company, TPI Petroleum, Inc., Texaco Refinery & Marketing, Inc., Texaco Refining & Marketing (East), Inc., Texaco, Inc., The Premcor Refining Group, Inc., Tosco Corporation,, Union Oil Company of California, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company.Document filed by Roslyn Water District.(jco, ) (Entered: 12/14/2004)
01/18/2005		CASE MANAGEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since that time, the parties have asked the Court to amend CMO #4 to incorporate certain agreed upon language and the findings of the Special Master. There is no reason to deny the request. Accordingly, CMO #4 is modified to the extent as further set forth in this Order. Case Management Order #5 requires newly



		accepted by CT Corp/Elena Bou. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	5	A FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	6	A FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Coastal Oil New England served on 12/14/2004, answer due 1/3/2005. Service was accepted by Debra Broussard. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	7	A FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	8	A FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Giant Yorktown, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	9	A FFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Lyondell-Citgo Refining, LP served on 12/15/2004, answer due 1/4/2005. Service was accepted by CT Corp/Lyn Keys. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	10	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	11	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	12	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Placid Refining Company, LLC, served on 12/10/2004, answer due 12/30/2004. Service was accepted by Ron Hurst. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	13	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, Sinclair Oil Corporation served on 12/10/2004, answer due 12/30/2004. Service was accepted by Nikki Chapple. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	14	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,, TPI Petroleum, Inc. served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Roslyn Water District. (cd, ) (Entered: 01/26/2005)
01/19/2005	15	AFFIDAVIT OF SERVICE of Summons and 1st Amended Complaint,,,,,,,,,

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-02388-SAS**

Town of Wappinger v. Amerada Hess Corporation et al  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: State Court-Supreme, 511-04  
Cause: 28:1441 Notice of Removal

Date Filed: 03/26/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 893 Environmental  
Matters  
Jurisdiction: Federal Question

**Special Master****Ronald J. Hedges****Plaintiff****Town of Wappinger**

represented by **C. Sanders McNew**  
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		Refining and Marketing Company answer due on 6/28/2004. (db, ) (Entered: 06/17/2004)
08/11/2004		ORDER OF DISMISSAL purs to Rule 41(a)(1)(i) of the FRCP without prejudice Flint Hills Resources, LLC from each of the referenced actions, with each party to bear its own costs. Plaintiffs reserve all other rights as against all of defendants. (Signed by Judge Shira A. Scheindlin on 8/9/04); (orig. docmt dktd in case no. M21-88, docmt #88) (dj, ) (Entered: 10/27/2004)
08/16/2004		Notice of Rule 41(a)(1)(i) Dismissal of defendant Marathon Oil Corporation, without prejudice, with each party to bear its own costs. This document relates to 03cv9543, 04cv2388, 04cv2389, 04cv2390, 03cv9544. (Signed by Judge Shira A. Scheindlin on 8/13/2004) Original document filed in case no. M21-88, doc. #95. (kcc, ) (Entered: 08/17/2004)
08/19/2004		MEMORANDUM OF LAW in Opposition to Defendants' Motion to Dismiss the New York Complaints and Amended Complaints Pursuant to F.R.C.P. 12 (b)(6). Document filed by Town of Wappinger. Original document filed in case no. M21-88. doc. #99. (kcc, ) (Entered: 08/20/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	21	SECOND AMENDED COMPLAINT against Amerada Hess Corporation, American Refining group Inc., Ashland Inc., Atlantic Richfield Company, Atlantic Richfield Company, Inc., Atofina Petrochemicals Inc., BP Amoco Chemical Company, BP Products North America, Inc., CHEVERON TEXACO CORPORATION, CITGO PETROCHEMICAL CORPORATION, COSATAL MOBILE REFINING COMPANY, LP, Chevron U.S.A., Inc., Chevrontexaco Corporation, Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Oil New England, Colorado Refining Company, Conocophillips Company,, Crown Central Petroleum Corporation, EL PASO MERCHANT ENERGY - PETROLEUM COMPANY, EQUILION ENTERPRISES, LLC, El Paso CGP Company, El Paso Corporation, El Paso Corporation (individually and f/k/a/ The Coastal Corporation), Equilon Enterprises LLC, Equistar Chemicals L.P., ExxonMobil Chemical Company, Inc., ExxonMobil Corporation, ExxonMobil Oil Corporation, Flint Hills Resources L.P., GULF OIL, LP,, Getty Petroleum Marketing, Inc., Getty Properties Corporation, Giant Yorktown inc., Koch Industries, Inc., Lyondell Chemical Company, MOBIL CORPORATION, Marathon Ashland Petroleum LLC, Marathon Ashland Petroleum, LLC, Marathon Oil Company, Marathon Oil Corporation, Motiva Enterprises, LLC, Placid Refining Coach LLC, Premcor, Inc., SUNOCO, INC., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sunoco, Inc. (R&M), TMR Company, TPI Petroleum Inc, Texaco Refining & Marketing (East), Inc., Texaco Refining & Marketing Inc., Texaco, Inc, The Premcor Refining Group, Inc., Tosco Corporation, UNOCAL Corporation, Valero Energy Corporation,

		prejudice and without costs, pursuant to Rule 41(a)(1) of the F.R.C.P. (Signed by Judge Shira A. Scheindlin on 1/13/05)(Original filed in 00 CV 1898) (jf, ) (jf, ) (jf, ) (Entered: 01/28/2005)
01/19/2005		RULE 7.1 DISCLOSURE STATEMENT. Document filed by Exxon Mobil Corporation,. Original document filed in case #00cv1898, document #479. (Entered: 02/02/2005)
01/19/2005		Joinder of certain dfts in the motion to dismiss the New York complaints pursuant to FRCP 12(b)(6). Document filed by American Refining Group, Inc., Ashland Inc., Coastal Oil New England, Inc., Colorado Refining Company, Duke Energy Marketing, California, Inc., Duke Energy Merchants, LLC, Duke Energy Trading and Marketing, LLC, Exxon Chemical U.S.A., Giant Yorktown, Inc., Lyondell Chemical Company, Marathon Ashland Petroleum LLC, Marathon II Company, Northridge Petroleum Marketing U.S. Inc., PDV Midwest Refining, LLC, Placid Refining Company LLC, Shell Oil Products Company LLC, TMR Company, Total Petrochemicals USA, Inc., TPI Petroleum, Inc., TRMI Holdings, Inc., Valero Refining Company. Modified on 2/2/2005 (dle, )Original document filed in case #00cv1898, document #480. (Entered: 02/02/2005)
01/19/2005		NOTICE of Appearance by James Anthony Pardo, Stephen Joseph Riccardulli, Peter John Sacripanti on behalf of Exxon Mobil Corporation (dle, )Original document filed in case #00cv1898, document #481.(dle, ) (Entered: 02/03/2005)
01/20/2005	22	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. American Refining group Inc. served on 12/10/2004, answer due 12/30/2004. Service was accepted by Joseph M. Brian. Document filed by Town of Wappinger. (kw, ) (Entered: 01/28/2005)
01/20/2005	23	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Ashland Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Town of Wappinger. (kw, ) (Entered: 01/28/2005)
01/20/2005	24	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Atofina Petrochemicals Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Town of Wappinger. (kw, ) (Entered: 01/28/2005)
01/20/2005	25	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Coastal Oil New England served on 11/16/2004, answer due 12/6/2004. Service was accepted by Deborah Broussard. Document filed by Town of Wappinger. (kw, ) (Entered: 01/28/2005)
01/20/2005	26	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Town of Wappinger. (kw, ) (Entered: 01/28/2005)
01/20/2005	27	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint. Giant Yorktown inc. served on 12/18/2004, answer due 1/7/2005. Service was

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-02390-SAS**

Village of Pawling v. Amerada Hess Corporation  
Assigned to: Judge Shira A. Scheindlin  
Lead case: 1:00-cv-01898-SAS-DCF  
Member case: (View Member Case)  
Related Case: 1:00-cv-01898-SAS-DCF  
Case in other court: State Court-Supreme, 18-00003  
Cause: 28:1441 Notice of Removal

Date Filed: 03/26/2004  
Date Terminated: 03/31/2011  
Jury Demand: Both  
Nature of Suit: 893 Environmental  
Matters  
Jurisdiction: Federal Question

**Flint Hills Resources, LP**  
*TERMINATED: 03/28/2005*

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Village of Pawling**

represented by **C. Sanders McNew**  
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		6/28/2004; Sunoco, Inc. (R&M) answer due on 6/28/2004; Texaco Refining & Marketing (East) Inc. answer due on 6/28/2004; Texaco Refining & Marketing, Inc. answer due on 6/28/2004; Texaco, Inc. answer due on 6/28/2004; Tosco Corporation answer due on 6/28/2004; Unocal Corporation answer due on 6/28/2004; Valero Energy Corporation answer due on 6/28/2004; Valero Marketing and Supply Company answer due on 6/28/2004; Valero Refining and Marketing Company answer due on 6/28/2004; sunoco Inc. (R&M) answer due on 6/28/2004. (djc, ) (Entered: 06/24/2004)
08/11/2004		ORDER OF DISMISSAL purs to Rule 41(a)(1)(i) of the FRCP without prejudice Flint Hills Resources, LLC from each of the referenced actions, with each party to bear its own costs. Plaintiffs reserve all other rights as against all of defendants. (Signed by Judge Shira A. Scheindlin on 8/9/04); (orig. docmt dktd in case no. M21-88, docmt #88) (djc, ) (Entered: 10/27/2004)
08/16/2004		Notice of Rule 41(a)(1)(i) Dismissal of defendant Marathon Oil Corporation, without prejudice, with each party to bear its own costs. This document relates to 03cv9543, 04cv2388, 04cv2389, 04cv2390, 03cv9544. (Signed by Judge Shira A. Scheindlin on 8/13/2004) Original document filed in case no. M21-88, doc. #95.(kkc, ) (Entered: 08/17/2004)
08/19/2004		MEMORANDUM OF LAW in Opposition to Defendants' Motion to Dismiss the New York Complaints and Amended Complaints Pursuant to F.R.C.P. 12 (b)(6). Document filed by Village of Pawling. Original document filed in case no. M21-88. doc. #99. (kkc, ) (Entered: 08/20/2004)
08/30/2004		NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P. as to Premcor Inc. w/out prejudice and w/ each party to bear its own costs. (Orig. doc. filed in case no. M21-88, MDL No. 1358 as doc. #102) (Signed by Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	21	SECOND AMENDED COMPLAINT against Amerada Hess Corporation, American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals, Inc., BP Amoco Chemical Co., BP Amoco Chemical Company, BP Products North America, Inc., Chevron Texaco Corporation, Chevron U.S.A. Inc., Citgo Petroleum Corporation, Citgo Refining and Chemicals Company,LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company,LP, Coastal Oil New England, Colorado Refining Company, Conoco Phillips Company(individually and as successor-in-interest to Conoco Inc. and Phillips Petroleum Company, and d/b/a/Phillipss 66 Company), Conocophillips Company,, Crown Central Petroleum Corporation, El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy-Petroleum Company, Equilon Enterprises, LLC, Equistar Chemicals, L.P., ExxonMobil Chemical Company, Inc., ExxonMobil Corporation, ExxonMobile Oil Corporation, FHR/GP, LLC., Getty Petroleum Marketing Inc., Getty Properties Corporation, Giant Yorktown, Inc., Gulf Oil LP, Koch Industries, Inc., Lyondell Chemical Company, Lyondell Petrochemical GP, Inc., Lyondell-Citgo Refining, LP, Marathon Ashland Petroleum, LLC, Marathon Oil Company, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, Placid Refining Company, LLC,, Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC,

		Original entry in 00cv1898 document number 458.(yv, ) (Entered: 01/24/2005)
01/18/2005		NOTICE of Voluntary Dismissal as to defendant Sinclair Oil without prejudice and without costs, pursuant to Rule 41(a)(1) of the F.R.C.P. (Signed by Judge Shira A. Scheindlin on 1/13/05)(Original filed in 00 CV 1898) (jf, ) (jf, ) (Entered: 01/28/2005)
01/19/2005	22	AFFIDSAVIT OF SERVICE. Ashland, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp, Elena Bou. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	23	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,,,,, Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct. Corp/Elena Bou. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	24	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,,,,, Coastal Oil New England served on 12/15/2004, answer due 1/4/2005. Service was accepted by Debra Broussard. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	25	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,,,,,,, Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen Groos. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	26	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Giant Yorktown, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	27	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Lyondell-Citgo Refining, LP served on 12/15/2004, answer due 1/4/2005. Service was accepted by Ct Corp/Lyn Keys. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	28	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Ct Corp/Elena Bou. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	29	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by CT Corp/Elena Bou. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	30	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Placid Refining Company, LLC, served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by Village of Pawling. (cd, ) (Entered: 01/24/2005)
01/19/2005	31	AFFIDAVIT OF SERVICE of Summons and Second Amended Complaint,,,,,,,,, Sinclair Oil Corporation served on 12/10/2004, answer due

CLOSED, ECF, MDL, RELATED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01727-SAS**

Water Authority of Great Neck North v. Amerada Hess Corp.

Assigned to: Judge Shira A. Scheindlin

Lead case: [1:00-cv-01898-SAS-DCF](#)

Member case: [\(View Member Case\)](#)

Related Case: [1:00-cv-01898-SAS-DCF](#)

Case in other court: USDC-EDNY, 2:03-cv-6077

Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 03/02/2004

Date Terminated: 03/31/2011

Jury Demand: Both

Nature of Suit: 365 Personal Inj. Prod.

Liability

Jurisdiction: Federal Question

**Special Master**

**Ronald J. Hedges**

**Plaintiff**

**Water Authority of Great Neck  
North**

represented by **C. Sanders McNew  
Weitz & Luxenberg, P.C.**

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		Judge Shira A. Scheindlin on 8/26/04) (ae, ) (Entered: 09/08/2004)
10/29/2004	3 TH	IRD AMENDED COMPLAINT against Amerada Hess Corp., American Refining Group, Inc., Ashland, Inc., Atlantic Richfield Company, Atofina Petrochemicals, Inc., BP Amoco Chemical Company, BP Products North America, Inc., Chevron U.S.A., Inc., Chevrontexaco Corporation, Citgo Petroleum Corporation, Citgo Refining and Chemicals Company, LP, Coastal Eagle Point Oil Company, Coastal Mobile Refining Company, Coastal Oil New England, Colorado Refining Company, ConocoPhillips Company, Crown Central Petroleum Corporation, EQUISTAR CHEMICALS, L.P., El Paso CGP Company, El Paso Corporation, El Paso Merchant Energy-Petroleum Company, Equilon Enterprises, LLC, Exxonmobil Chemical Company, Inc., Exxonmobil Corporation, Exxonmobil Oil Corporation, FHR/GP, LLC,, FLINT HILLS RESOURCES, LP,, GIANT YORKTOWN, INC.;; Getty Petroleum Marketing, Inc., Getty Properties Corporation, Gulf Oil, Limited Partnership, Koch Industries, Inc., LYONDELL-CITGO REFINING, LP;; Lyondell Chemical Company, Lyondell Petrochemical GP, Inc., Marathon Ashland Petroleum, LLC, Marathon Oil Company, Mobil Corporation, Motiva Enterprises, LLC, PDV Midwest Refining, LLC, PLACID REFINING COMPANY, LLC;; Premcor, Inc., Shell Oil Company, Shell Oil Products Company, Shell Oil Products Company, LLC, Shell Petroleum, Inc., Shell Trading (US) Company, Sinclair Oil Corporation, Sonoco, Inc. (R&M), Sunoco, Inc., TMR Company, TPI PETROLEUM, INC.;; Texaco Inc., Texaco Refining & Marketing (East), Inc., Texaco Refining & Marketing, Inc., The Premcor Refining Group, Inc., Tosco Corporation, United Refining Company, Unocal Corporation, Valero Energy Corporation, Valero Marketing and Supply Company, Valero Refining Company, Valero Refining and Marketing Company. Document filed by Water Authority of Great Neck North.(db, ) (Entered: 11/29/2004)
01/18/2005		CASE MANAGEMENT ORDER #6. All case management orders requiring the production of documents or other information, previously made by the Court, shall remain in full force and effect. A copy of this Order shall be filed in each case listed in Appendix A of Case Management Order #4. This Court issued CMO #4 on 10/19/04, to govern the course of discovery in this multi-district litigation. The Court referred 5 discovery disputes to the Special Master, which he resolved on 11/12/04, through Pre-Trial Order #2. Since that time, the parties have asked the Court to amend CMO #4 to incorporate certain agreed upon language and the findings of the Special Master. There is no reason to deny the request. Accordingly, CMO #4 is modified to the extent as further set forth in this Order. Case Management Order #5 requires newly added defendants to file Rule 12 motions or other responsive pleadings by 1/18/05. However, that date does not give the parties enough time to meet and confer regarding potential Rule 12(b)(2) motions. Previous discussions between plaintiffs and the original defendants resulted in a number of voluntary dismissals. Because discussions could result in additional dismissals and avoid some motion practice, CMO #5 is modified to the extent as further set forth in this Order. The limits set forth in Rules 30 and 33 of the FRCP shall not apply in this MDL. Any disputes regarding the number of interrogatories or the number of depositions shall be decided on a case by case basis by the Special Master. Defendants may respond to the common

		North. (kw, ) (Entered: 01/31/2005)
01/20/2005	6 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Atofina Petrochemicals, Inc. served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	7 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Colorado Refining Company served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	8 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Coastal Oil New England served on 12/15/2004, answer due 1/4/2005. Service was accepted by Debra Broussard. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	9 A	FFIDAVIT OF SERVICE of Summons and Third Amended Complaint. GIANT YORKTOWN, INC.; served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	10	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. LYONDELL-CITGO REFINING, LP; served on 12/15/2004, answer due 1/4/2005. Service was accepted by Lyn Keys. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	11	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Marathon Ashland Petroleum, LLC served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	12	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Marathon Oil Company served on 12/18/2004, answer due 1/7/2005. Service was accepted by Elena Bou. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	13	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. PLACID REFINING COMPANY, LLC; served on 12/13/2004, answer due 1/3/2005. Service was accepted by Ron Hurst. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	14	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. Sinclair Oil Corporation served on 12/10/2004, answer due 12/30/2004. Service was accepted by Nikki Chapple. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	15	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. TPI PETROLEUM, INC.; served on 12/21/2004, answer due 1/10/2005. Service was accepted by Gretchen R. Groos. Document filed by Water Authority of Great Neck North. (kw, ) (Entered: 01/31/2005)
01/20/2005	16	AFFIDAVIT OF SERVICE of Summons and Third Amended Complaint. United Refining Company served on 12/18/2004, answer due 1/7/2005.