

BRACEWELL
& GIULIANI

Texas
New York
Washington, DC
Connecticut
Dubai
Kazakhstan
London

Ileana M. Blanco
Partner

713.221.1126 Office
713.221.2127 Fax

ileana.blanco@bglip.com

Bracewell & Giuliani LLP
711 Louisiana Street
Suite 2300
Houston, Texas
77002-2770

October 22, 2007

By Email

Mr. Bill Jackson
Connelly Baker Maston Wotring Jackson LLP
700 Louisiana, Suite 1850
Houston, Texas 77002-2778

Re: Docket No. ESX-L-9868-05, *New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.*, in the Superior Court of New Jersey, Law Division, Civil Part, Essex County

Dear Bill:

This letter is pursuant to the Court's October 15, 2007 Order on the Answers to Interrogatories of the Nonresident Defendants.

Subject to all the objections set forth in their prior responses, the Amended Answers of YPF, YPFH, and CLHH pursuant to Paragraph 4(a) of the Court's Order are:

CLHH:

INTERROGATORY NO. 2:

In response to the question about whether CLHH has made any capital contributions to Tierra, CLHH states yes, pursuant to the terms of the Contribution Agreement. CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 3:

In response to the question about whether CLHH has made any capital contributions to Tierra, CLHH states yes, pursuant to the terms of the Contribution Agreement. CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672. CLHH further adds that, with respect to the years 1996 through 1999, some of the funds Maxus conveyed to Tierra during that time were ultimately derived from YPF and YPFH, pursuant to various agreements, which have already been produced at YPF521-531 and YPF532-549. Beginning in the year 2000, and until late 2004 or early 2005, Maxus' own funds were used as the source of funds that Maxus supplied to Tierra. With respect to the

BRACEWELL & GIULIANI

Mr. Bill Jackson
October 22, 2007
Page 2

and YPFH's other subsidiaries during that period were derived pursuant to a credit agreement between YPF and YPFH, and various amendments thereto, all of which have already been produced. YPFH598-604, YPFH582-583, YPF1736-1740; Letter from Tom Starnes to Bill Jackson, Aug. 11, 2006.

INTERROGATORY NO. 4:

CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 5:

CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 6:

CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 7:

CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 8:

CLHH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 12:

In response to the question about how much YPFH has contributed in capital to CLHH, CLHH refers to financial documents already produced, YPF521-531 and YPF563-1672, and further states that, as Mr. Smith and Mr. Leiva testified, a controversy exists on this issue. See Deposition of Harvey R. Smith on behalf of YPFH Holdings, at 165 l.20-166 l.17; Deposition of Gabriel Leiva on behalf of YPF, S.A., at 268, l.15-269 l.4.

BRACEWELL & GIULIANI

Mr. Bill Jackson
October 22, 2007
Page 3

YPFH:

INTERROGATORY NO. 3:

In response to the Court's question about whether YPFH has made any capital contributions to Tierra, YPFH states no. YPFH further adds that, with respect to the years 1996 through 1999, some of the funds Maxus conveyed to Tierra during that time were ultimately derived from YPF and YPFH, pursuant to various agreements, which have already been produced at YPF521-531 and YPF532-549. Beginning in the year 2000, and until late 2004 or early 2005, Maxus' own funds were used as the source of funds that Maxus supplied to Tierra. With respect to the period beginning in late 2004/early 2005, some of the funds which Maxus conveyed to Tierra and YPFH's other subsidiaries during that period were derived pursuant to a credit agreement between YPF and YPFH, and various amendments thereto, all of which have already been produced. YPFH598-604, YPFH582-583, YPF1736-1740; Letter from Tom Starnes to Bill Jackson, Aug. 11, 2006.

INTERROGATORY NO. 12:

YPFH refers to the financial documents produced in this action, YPF521-531 and YPF563-1672, and further states that, as Mr. Smith and Mr. Leiva testified, a controversy exists on this issue. See Deposition of Harvey R. Smith on behalf of YPFH Holdings, at 165 1.20-166 1.17; Deposition of Gabriel Leiva on behalf of YPF, S.A., at 268, 1.15-269 1.4.

YPF:

INTERROGATORY NO. 3:

YPF states yes, pursuant to the terms of the Contribution Agreement. YPF refers to the financial documents produced in this action: YPF521-531 and YPF563-1672. YPF further adds that, with respect to the years 1996 through 1999, some of the funds Maxus conveyed to Tierra during that time were ultimately derived from YPF and YPFH, pursuant to various agreements, which have already been produced at YPF521-531 and YPF532-549. Beginning in the year 2000, and until late 2004 or early 2005, Maxus' own funds were used as the source of funds that Maxus supplied to Tierra. With respect to the period beginning in late 2004/early 2005, some of the funds which Maxus conveyed to Tierra and YPFH's other subsidiaries during that period were derived pursuant to a credit agreement between YPF and YPFH, and various amendments thereto, all of which have already been produced. YPFH598-604, YPFH582-583, YPF1736-1740; Letter from Tom Starnes to Bill Jackson, Aug. 11, 2006.

BRACEWELL & GIULIANI

Mr. Bill Jackson
October 22, 2007
Page 4

INTERROGATORY NO. 4:

YPF refers to the financial documents produced in this action, YPF521-531 and YPF563-1672.

INTERROGATORY NO. 14:

YPF refers to the financial documents produced in this action: YPF437-516, YPF563-1672, and information regarding the Keepwell Covenant contained in YPF's 20-Fs and accompanying Consolidated Statements of Income for fiscal years ending December 31, 1995 (YPF 3990-3991, 4016, 4031), 1996 (YPF 3844, 3873), 1997 (YPF 3700, 3727, 3729), and 1998 (YPF 3330, 3361, 3362), documents previously produced in this action. YPF also refers to the deposition testimony of Gabriel Leiva at 134, 1.1-142 and 170, 1.4-305.

INTERROGATORY NO. 15:

YPF refers to the financial documents produced in this action: YPF437-516, YPF563-1672, and information regarding the Keepwell Covenant contained in YPF's 20-Fs and accompanying Consolidated Statements of Income for fiscal years ending December 31, 1995 (YPF 3990-3991, 4016, 4031), 1996 (YPF 3844, 3873), 1997 (YPF 3700, 3727, 3729), and 1998 (YPF 3330, 3361, 3362), documents previously produced in this action. YPF also refers to the deposition testimony of Gabriel Leiva at 134, 1.1-142 and 170, 1.4-305.

INTERROGATORY NO. 16:

YPF refers to the financial documents produced in this action: YPF437-516, YPF563-1672, and information regarding the Keepwell Covenant contained in YPF's 20-Fs and accompanying Consolidated Statements of Income for fiscal years ending December 31, 1995 (YPF 3990-3991, 4016, 4031), 1996 (YPF 3844, 3873), 1997 (YPF 3700, 3727, 3729), and 1998 (YPF 3330, 3361, 3362), documents previously produced in this action. YPF also refers to the deposition testimony of Gabriel Leiva at 134, 1.1-142 and 170, 1.4-305.

INTERROGATORY NO. 17:

YPF refers to the deposition of Gabriel Leiva and further states that cash was transferred from a YPF bank account to the bank account of YPF's direct subsidiary, which for accounting purposes, is a credit on YPF's books. To complete the entry on YPF, the offsetting debit would be to long-term investment. YPF further refers to the financial documents produced in this action: YPF437-516, YPF563-1672, and information regarding the Keepwell Covenant contained in YPF's 20-Fs and accompanying Consolidated Statements of Income for fiscal years ending December 31, 1995 (YPF 3990-3991, 4016,

BRACEWELL & GIULIANI

Mr. Bill Jackson
October 22, 2007
Page 5

4031), 1996 (YPF 3844, 3873), 1997 (YPF 3700, 3727, 3729), and 1998 (YPF 3330, 3361, 3362), documents previously produced in this action. YPF also refers to the deposition testimony of Gabriel Leiva at 134, 1.1-142 and 170, 1.4-305.

Pursuant to Paragraph 4(b) of the Court's Order, Repsol amends its Answer to Plaintiffs' Personal Jurisdiction Interrogatory Number 3 as follows:

Subject to all objections set forth in its prior responses to the question asking Repsol to "identify and describe any and all Due Diligence or other internal audits of the 'US Group' or Environmental Liabilities in New Jersey," including the author, date, purpose, Repsol has not performed any Due Diligence or other internal audits of the "US Group" or Environmental Liabilities in New Jersey.

Pursuant to Paragraph 4(c) of the Court's Order, Repsol amends its Answer to Plaintiffs' Personal Jurisdiction Interrogatory Number 17 as follows.

Subject to all objections set forth in its prior responses:

a. Repsol estimates that, in 2004, products totaling US\$3,020.11 were sold to end users in New Jersey and that, in 2005, products totaling US\$6,640.84 were sold to end users in New Jersey, for a total of US\$9660.95.

In addition to these sales, it is possible that other sales to New Jersey end users were made by Eurobikes, Inc., a Manassus, Virginia distributor of Repsol Moto products that no longer exists. In 2004, Repsol estimates that zero amount of product was distributed by Eurobikes to end users in New Jersey because Eurobikes did not distribute Repsol Moto products in 2004. However, in 2005, sales to Eurobikes of Repsol Moto were US\$152,217 and Repsol estimates that less than 100% of that amount, if any, was sold to end users in New Jersey.

Very truly yours,

Bracewell & Giuliani LLP


Heana M. Blanco

IMB/cep

BRACEWELL & GIULIANI

Mr. Bill Jackson
October 22, 2007
Page 6

cc: Mr. Mike Gordon
Mr. John Gilmour
Ms. Kelly-Ann Pokrywa
Mr. Bob Lehman
Mr. Oliver Howard
Ms. Amy Fogelman
Mr. Tom Starnes
Mr. Charles Crout
Ms. Michele Blythe
Mr. Bill Warren
Ms. Susan Kleiner
Ms. Christina Ponig
Mr. Marc Gross
Mr. Jeff Sirot
