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Attorneys for Defendants,
Tierra Solutions, Inc. and Maxus Energy Corporation

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE COMMISSIONER OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE ADMINISTRATOR OF THE NEW JERSEY SPILL COMPENSATION FUND,	:	SUPERIOR COURT OF NEW JERSEY LAW DIVISION - ESSEX COUNTY
Plaintiffs,	:	DOCKET NO. ESX-L-9868-05
vs.	:	
OCCIDENTAL CHEMICAL CORPORATION, TIERRA SOLUTIONS, INC., MAXUS ENERGY CORPORATION, REPSOL YPF, S.A., YPF, S.A., YPF HOLDINGS, INC., and CLH HOLDINGS,	:	MAXUS ENERGY CORPORATION'S AND TIERRA SOLUTIONS, INC.'S AMENDED INITIAL DISCLOSURES
Defendants.	:	

Defendants Maxus Energy Corporation ("Maxus") and Tierra Solutions, Inc. ("Tierra") hereby make the following Amended Initial Disclosures pursuant to Case Management Order III in the above referenced litigation consistent with Federal Rule of Civil Procedure 26(a)(1).

RESERVATION OF RIGHTS

1. Maxus and Tierra reserve the right to object to the production of any documents or other information on any ground, including relevance and undue burden, and to assert any

applicable privilege, including the attorney-client privilege, the work product doctrine, the common interest doctrine, and any other applicable privilege or protection. These disclosures are not intended to prejudice or waive any privileges or objections Maxus or Tierra may have with respect to any outstanding or subsequent requests for discovery.

2. Maxus's and Tierra's investigation in this matter is continuing. Accordingly, they reserve the right to supplement, clarify, and revise these disclosures to the extent additional information becomes available or is obtained through discovery. Further, Maxus and Tierra reserve the right to amend these disclosures to the extent the claims brought by or alleged against Maxus and Tierra in this litigation are amended.

I. Individuals Having Discoverable Information

The time period covered by the allegations in the Plaintiffs' Second Amended Complaint encompasses at least six decades, and the majority of Plaintiffs' allegations arise out of the operation of a manufacturing facility during the period from the early 1950s until 1969. Over the ensuing decades, there have been numerous changes in professional staff employed by Maxus and Tierra, there have been several corporate transactions and agreements affecting the relationship between defendants to this action, and, since the early 1980s, there have been judicial and administrative proceedings to investigate and address the environmental conditions allegedly caused by the facility in question and by virtually countless other sources of contamination found in the Passaic River and Newark Bay. The chronological breadth of the Second Amended Complaint is rivaled only by its geographic scope as it covers the so-called "Newark Bay Complex," which spans the "lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill van Kull, and into adjacent waters and sediments." *Second Amended Complaint*, ¶ 1. The difficulties posed by the

chronological and geographical breadth of the Second Amended Complaint have hampered Maxus's and Tierra's ability to identify individuals having discoverable information that may be used to support their defenses to the Plaintiffs' claims and/or to support any of the pending counterclaims, cross-claims or third-party claims. Due to the extended period of time and the vast area implicated by the Plaintiffs' allegations in the Second Amended Complaint, the volume of potentially-relevant information is enormous, and it is likely that additional individuals will be identified in the future. As stated above, Maxus's and Tierra's investigation is continuing, and they reserve the right to supplement and modify these disclosures.

Maxus and Tierra hereby disclose this list of persons whom they believe are likely to have discoverable information that they may use to support their claims and defenses, based on their inquiry to date, and the potential subjects of those individuals' knowledge. For former or retired employees, this disclosure is based on a current understanding and inquiry. In these Amended Initial Disclosures, Maxus and Tierra are disclosing the identity of certain individuals that perform consultant work for Maxus and/or Tierra that may have discoverable, non-privileged information regarding matters related to this lawsuit that Maxus and Tierra may use in this lawsuit. This disclosure does not, and is not intended to, waive any applicable privileges that apply to any of the work done by these individuals or the entities with which they are associated.

Individual:	Subjects:
Alan Fowler Principal Engineer ARCADIS 100 Cummings Center, Suite 135-P Beverly, MA 01915-6112 Telephone: (978) 921-0442	Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex. Environmental conditions in the Passaic River.
Alan Steinberg Former Regional Administrator	Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its

<p>United States Environmental Protection Agency Region 2 290 Broadway New York, NY 10007-1866 Telephone: (212) 637-5000</p>	<p>tributaries.</p> <p>Response actions at the Lister Site, the Passaic River, Newark Bay, and related areas.</p>
<p>Alex Pittignano</p> <p>Former Environmental Engineer, Tierra Solutions, Inc.</p> <p>112 Ridge Street Pearl River, NY 10965</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Bradley M. Campbell</p> <p>Former Commissioner, New Jersey Department of Environmental Protection</p> <p>Bradley M. Campbell, LLC 50 West State Street Suite 1100 Trenton, NJ 08608 Telephone: (609) 392-4500</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay. Alternative sources of contamination in the Passaic River and Newark Bay.</p> <p>Plaintiffs' alleged damages sought in this litigation.</p> <p>Factual basis for Plaintiffs' allegations, including, but not limited to, allegations of discharges from the Lister Site.</p>
<p>Brent Finley</p> <p>Vice President ChemRisk 25 Jessie Street at Ecker Square Suite 1800 San Francisco, CA 94105 Telephone: (415) 618-3218</p>	<p>Human health risk information provided to the Environmental Protection Agency.</p> <p>Environmental conditions in the Newark Bay Complex.</p> <p>Human health risks associated with contamination in the Passaic River and Newark Bay.</p>
<p>Byron Best</p> <p>1897 Fairport Nursery Road Painesville, OH 44077</p> <p>120 Advent Pines Lane Holly Springs, NC 27540</p> <p>Telephone: (919) 757-6537</p>	<p>Supervision of maintenance at the Lister Avenue properties in the late 1980s and early 1990s.</p> <p>Remedial construction at the Lister Site.</p>
<p>C. H. Gilbert</p> <p>Former V.P., Diamond Shamrock Chemical Company</p>	<p>Operations at the former Diamond Shamrock facility at 80 Lister Avenue.</p> <p>Alleged manufacture of pesticides and herbicides at</p>

Address unknown at this time	the plant located at 80 Lister Avenue by Chemicaland for Diamond Shamrock Chemical Company.
<p>Carlie Thompson</p> <p>Project Engineer Tierra Solutions, Inc. 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816 Telephone: (732) 246-5849</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Carlos Olivieri</p> <p>Former CEO, YPF, S.A.</p> <p>May be contacted through Counsel of Record for YPF, S.A.</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Contribution Agreement.</p> <p>Assumption Agreement.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Catherine Tormey</p> <p>Counselor to the Commissioner New Jersey Department of Environmental Protection Office of Legal Affairs 401 East State Street, 4th Floor Trenton, NJ 08625-0402 Telephone: (609) 633-0346</p>	<p>Plaintiffs' alleged damages sought in this litigation.</p> <p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p> <p>Factual basis for Plaintiffs' allegations, including, but not limited to, allegations of discharges from the Lister Site.</p>
<p>Charles F. Shepherd</p> <p>Controller, Occidental Chemical Company</p> <p>Address unknown at this time</p>	<p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Shutdown of 80 Lister Avenue in 1977.</p>
<p>Christopher E. Pfeifer</p> <p>Entrix 10 Corporate Circle, Suite 300 New Castle, DE 19720 Telephone: (302) 395-1919</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Clifford Firstenberg</p> <p>Principal Firstenberg Consulting, LLC 16 Ensigne Spence</p>	<p>Environmental conditions in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus</p>

<p>Williamsburg, VA 23185 Telephone: (757) 258-7720</p>	<p>and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Craig M. Murrin</p> <p>Former Corporate Attorney, Diamond Shamrock Corporation</p> <p>3130 Jarrad Street Houston, TX 77005-3014</p>	<p>Incorporation of Maxus Energy Corporation in 1983 and alleged reorganization during 1983 - 1984.</p> <p>Occidental as successor to DSCC.</p>
<p>Dale R. Laurance</p> <p>Former President, Occidental Petroleum Corporation</p> <p>Laurance Enterprises, LLC 11150 Santa Monica Blvd. Suite 470 Los Angeles, CA 90025</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>David O. Smith</p> <p>Former Director of Tax & Chief Tax Counsel, Maxus Energy Corporation</p> <p>5 Samoset Court Rogers, AZ 72758</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>David Rabbe</p> <p>President Tierra Solutions, Inc. 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816 Telephone: (732) 246-5848</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p> <p>Tierra's agreements and transactions with other defendants including the Contribution Agreement and Assumption Agreement.</p>
<p>David Wadsworth</p> <p>Former General Counsel, Maxus Energy Corporation (Retired) 1330 Lake Woodlands Dr., Suite 300 The Woodlands, TX 77380</p>	<p>Occidental's tenders for indemnification under the 1986 SPA.</p> <p>Occidental as successor to DSCC.</p> <p>Acquisition of Maxus by YPF, S.A. in 1995.</p>

<p>Telephone: (281) 681-7200</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p> <p>Maxus's agreements and transactions with other defendants including the Contribution Agreement and Assumption Agreement.</p>
<p>Deborah M. Proctor</p> <p>Principal Scientist Exponent 320 Goddard Way, Suite 200 Irvine, CA 92618 Telephone: (949) 242-6014</p>	<p>Human health risk information provided to the Environmental Protection Agency.</p> <p>Environmental conditions in the Newark Bay Complex.</p> <p>Human health risks associated with contamination in the Passaic River and Newark Bay.</p>
<p>Dennis Farley</p> <p>President The Intelligence Group 1545 Route 206 Bedminster, NJ 07921 Telephone: (908) 901-0112</p>	<p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Diane Waldschmidt</p> <p>Principal Environmental Data Services, Ltd. 2690 Oak Hill Drive Allison Park, PA 15101</p>	<p>Data and the validation of data provided to the Environmental Protection Agency.</p>
<p>Donald W. Zentmeyer</p> <p>Former Senior Counsel, Diamond Shamrock Corporation</p> <p>Koons Real Estate Law 3400 Carlisle Street, Suite 400 Dallas, TX 75204-1268 Telephone: (214) 954-0067</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Ed E. Noble</p> <p>Former Environmental Engineer, Diamond Shamrock</p> <p>32782 Briarwood Court Avon Lake, Ohio 44012</p>	<p>Environmental responsibilities related to the Lister property in the 1980s.</p> <p>Discovery of dioxin at 80 Lister Avenue in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>Ed Masek</p> <p>Former Assistant General Counsel, Maxus Energy</p>	<p>Incorporation of Maxus Energy Corporation in 1983 and alleged reorganization during 1983 - 1984.</p>

<p>Corporation</p> <p>6248 Emeraldwood Place Dallas, TX 75240 Telephone: (972) 233-3318</p>	<p>Occidental as successor to DSCC.</p> <p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Erich L. Spangenberg</p> <p>Former Outside Counsel to Diamond Shamrock Corporation, Jones Day Reavis & Pogue</p> <p>Polaris IP</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Eugene R. Mancini</p> <p>Principal E.R. Mancini & Associates 5439 Summerfield Street Camarillo, CA 93012</p>	<p>Alleged natural resource damages.</p>
<p>Fernando Nardini</p> <p>Employee in YPF's Tax Group</p> <p>May be contacted through counsel of record for YPF, S.A.</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Contribution Agreement.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Francis R. ("Mike") Kennedy</p> <p>Former Newark Plant Manager, Diamond Alkali Company</p> <p>Address unknown at this time</p>	<p>Operations at the former Diamond Shamrock facility at 80 Lister Avenue.</p> <p>Alleged manufacture of pesticides and herbicides at the plant located at 80 Lister Avenue by Chemicaland for Diamond Shamrock Chemical Company.</p> <p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p>
<p>Frank Friedman</p> <p>Former Vice President Health Environmental & Safety, Occidental Petroleum Corporation</p> <p>Consultant Frank B. Friedman & Associates 5630 Wisconsin Ave., #205 Chevy Chase, MD 20815 Telephone: (301) 913-9830</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>Frederick Gordon Steward</p>	<p>Operations at the former Diamond Shamrock facility at 80 Lister Avenue.</p>

<p>Former Plant Superintendent, Diamond Shamrock Corporation</p> <p>4960 Woodland Forest Drive Tuscaloosa, AL 35405</p>	<p>Shutdown and cleanup of 80 Lister Avenue in 1969 by Diamond Shamrock Corporation.</p> <p>Alleged manufacture of pesticides and herbicides at the plant located at 80 Lister Avenue by Chemicaland for Diamond Shamrock Chemical Company.</p> <p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p>
<p>George Pavlou</p> <p>Acting Regional Administrator United States Environmental Protection Agency Region 2 290 Broadway New York, NY 10007-1866 Telephone: (212) 637-4390</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Response actions at the Lister Site, the Passaic River, Newark Bay, and related areas.</p>
<p>George William Mitchell</p> <p>President, Chemicaland</p> <p>Address unknown at this time</p>	<p>Shutdown and cleanup of 80 Lister Avenue in 1969 by Diamond Shamrock Corporation.</p> <p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Shutdown of 80 Lister Avenue in 1977.</p>
<p>Gerald M. Stern, Esq.</p> <p>Former Executive Vice President and General Counsel, Occidental Petroleum Corporation</p> <p>3322 Newark Street NW Washington, DC 20008-3330</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>Gerald Rubin</p> <p>Occidental Chemical Corporation 5005 Lyndon B Johnson Fwy. Dallas, TX 75244-6100 Telephone: (972) 404-3800</p>	<p>Occidental's tenders for indemnification under the 1986 SPA.</p> <p>Occidental as successor to DSCC.</p>
<p>Guzman Solana</p> <p>Former President, Maxus Energy Corporation 1330 Lake Robbins Dr., Suite 300 The Woodlands, TX 77380 Telephone: (281) 681-7200</p>	<p>Cross-claim allegations regarding duty to defend under the 1986 SPA.</p>
<p>H. R. ("Dick") Smith</p>	<p>Acquisition of Maxus by YPF, S.A. in 1995.</p>

<p>Former In-House Counsel, Maxus Energy Corporation (Retired) 1330 Lake Robbins Dr., Suite 300 The Woodlands, TX 77380 Telephone: (281) 681-7200</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Hadley Bedbury</p> <p>Former Project Manager, Maxus Energy Corporation</p> <p>2352 Orleans Lane Seabrook, TX 77586</p>	<p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>Harold Lloyd Todd</p> <p>Former Employee, Maxus Energy Corporation</p> <p>5922 Tree Shadow Trail Dallas, TX 75252</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Helder Costa</p> <p>Former Senior Scientist, Blasland, Bouck & Lee, Inc.</p> <p>Haley & Aldrich 465 Medford Street Boston, MA 02129 Telephone: (617) 886-7392</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>J. Alan Mack</p> <p>Occidental Chemical Corporation 5005 Lyndon B. Johnson Fwy. Dallas, TX 75244-6100 Telephone: (972) 404-3800</p>	<p>Occidental's tenders for indemnification under the 1986 SPA.</p> <p>Occidental as successor to DSCC.</p>
<p>J. Jeffrey Zimmerman</p> <p>Former Counsel Environmental, Health & Safety, Occidental Petroleum Corporation</p> <p>Kilpatrick Stockton, LLP 607 14th Street NW, Suite 900 Washington, DC 20005-2018 Telephone: (202) 508-5800</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>Jaime Muñoz de Laborde</p> <p>Former Vice President, Maxus Energy Corporation 1330 Lake Robbins Dr., Suite 300 The Woodlands, TX 77380 Telephone: (281) 681-7200</p>	<p>Cross-claim allegations regarding duty to defend under the 1986 SPA.</p>

<p>James B. Worthington</p> <p>Former Director Environmental Affairs, Diamond Shamrock Corporation</p> <p>3131 Carmel Valley Way Edmond, OK 73003</p>	<p>Discovery of dioxin at 80 Lister in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>James F. Kelley</p> <p>Former Vice President and General Counsel, Diamond Shamrock Corporation</p> <p>Senior Vice President of Law and General Counsel Georgia Pacific 133 Peachtree Street NE Atlanta, GA 30303 Telephone: (404) 652-4000</p>	<p>Incorporation of Maxus Energy Corporation in 1983 and alleged reorganization during 1983 - 1984.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p> <p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>Jason Kinnell</p> <p>Veritas Economic Consulting 1851 Evans Road Cary, NC 27513 Telephone: (919) 677-8787</p>	<p>Economic research and information related to natural resource damages.</p>
<p>Jim Zarzycki</p> <p>Former Vice President, EA Engineering, Science, and Technology, Inc.</p> <p>Director Edgewood Chemical Biological Center AMSRD-ECB-AP-B/Michel E3330 5183 Black Hawk Rd. APG, MD 21010-5424 Telephone: (410) 436-3610</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Joanne L. Bober</p> <p>Former Outside Counsel to Diamond Shamrock Corporation, Jones Day Reavis & Pogue</p> <p>Counsel J.C. Penney Inc. 650 Legacy Drive Plano, TX 75024 Telephone: (972) 431-1000</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>John J. Brennan</p>	<p>Shutdown and cleanup of 80 Lister Avenue in 1969 by Diamond Shamrock Corporation.</p>

<p>Former Plant Employee at 80 Lister Avenue, Diamond Shamrock and Chemicaland</p> <p>6500 Midnight Pass Road Sarasota, FL 34242-2599</p>	<p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Shutdown of 80 Lister Avenue in 1977.</p>
<p>John J. Burton</p> <p>Former Newark Plant Manager, Diamond Alkali Company</p> <p>Address unknown at this time</p>	<p>Operations at the former Diamond Shamrock facility at 80 Lister Avenue.</p> <p>Shutdown and cleanup of 80 Lister Avenue in 1969 by Diamond Shamrock Corporation.</p> <p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p>
<p>John R. Wheeler</p> <p>Occidental Chemical Corporation 5005 Lyndon B Johnson Fwy. Dallas, TX 75244-6100 Telephone: (972) 404-3800</p>	<p>Occidental's tenders for indemnification under the 1986 SPA.</p> <p>Occidental as successor to DSCC.</p>
<p>Joseph J. Guinta</p> <p>Skadden Arps 300 South Grand Avenue Suite 3400 Los Angeles, CA 90071 Telephone: (213) 687-5040</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>K. Delmar ("Del") Rumph</p> <p>Former Employee, Maxus Energy Corporation</p> <p>16500 Red Cliff Circle Morrison, CO 80465 Telephone: (303) 697-2620</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p> <p>Credit Facility Agreement with Repsol International Finance B.V.</p>
<p>Lance Miller</p> <p>Former Director Division of Hazardous Waste Management and Former Director of Watershed Management, New Jersey Department of Environmental Protection</p> <p>Chief of Policy and Planning Office of Policy and Planning New Jersey Board of Public Utilities Two Gateway Center Newark, NJ 07012 Telephone: (973) 648-2026</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p>
<p>Linda Engelbrecht</p> <p>Former Controller, Maxus Energy Corporation</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p>

<p>4825 Malaquita Branch Austin, TX 78738</p>	<p>Contribution Agreement.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Lisa Baron</p> <p>Former Employee, New Jersey Department of Transportation</p> <p>U.S. Army Corps of Engineers - New York District 26 Federal Plaza - Room 2119 New York, NY 10278-0090 Telephone: (917) 790-8306</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p>
<p>Lisa Jackson</p> <p>Former Commissioner, New Jersey Department of Environmental Protection</p> <p>Administrator Environmental Protection Agency Headquarters Ariel Rios Bldg. 1200 Pennsylvania Ave., N.W. Washington, DC 20460 Telephone: (202) 564-4700</p>	<p>Plaintiffs' alleged damages sought in this litigation.</p> <p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p> <p>Factual basis for Plaintiffs' allegations, including, but not limited to, allegations of discharges from the Lister Site.</p>
<p>Marc J. Kennedy</p> <p>Associate General Counsel Occidental Petroleum Corporation 10889 Wilshire Blvd. Los Angeles, CA 90024-4201 Telephone: (972) 404-4982</p>	<p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Shutdown of 80 Lister Avenue in 1977.</p>
<p>Marcel J. Dumeny</p> <p>Former General Counsel, Diamond Shamrock Chemicals Company</p> <p>1513 Black Bear Court Winter Springs, FL 32708</p>	<p>Discovery of dioxin at 80 Lister in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p> <p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Mark Harris</p> <p>Principal Health Scientist ToxStrategies 2910 Commercial Center Blvd</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p>

<p>Suite 103-205 Katy, TX 77494 Telephone: (832) 868-7729</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p> <p>Human health risk information provided to the Environmental Protection Agency.</p>
<p>Mark Ryckman Former Engineer, REACT Remtech Engineers 1000 Johnson Ferry Road Suite A-100 Marietta, GA 30068 Telephone: (404) 565-9101</p>	<p>Remediation activities at the Lister Site and surrounding areas.</p>
<p>Melissa Hunt Senior Litigation Counsel OXY, Inc. 5005 Lyndon B Johnson Fwy. Dallas, TX 75244-6100 Telephone: (972) 404-3800</p>	<p>Occidental's tenders for indemnification under the 1986 SPA.</p> <p>Occidental as successor to DSCC.</p> <p>Cross-claim allegations regarding duty to defend under the 1986 SPA.</p>
<p>Merton M. ("Mel") Skaggs Principal InDepth Environmental Associates P.O. Box 92653 1500 Corporate Circle, Suite 11 Southlake, TX 76092 Telephone: (817) 421-6633</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p> <p>The formation of Tierra.</p> <p>Maxus's and Tierra's agreements and transactions with other defendants including the Contribution Agreement and Assumption Agreement.</p> <p>Work performed by Maxus and/or Tierra related to the Lister Site and the Newark Bay Complex.</p> <p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p>
<p>Michael A. Woronoff</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock</p>

<p>Former Outside Counsel to Occidental Petroleum Corporation, Skadden Arps</p> <p>Proskauer Rose 2049 Century Park East, 32nd Floor Los Angeles, CA 90067-3206 Telephone: (303) 557-2900</p>	<p>Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Michael Catania</p> <p>President Conservation Resources, Inc. 100 North Road, Suite Two P.O. Box 594 Chester, NJ 07930 Telephone: (908) 879-7942</p>	<p>Discovery of dioxin at 80 Lister in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>Michael Harris</p> <p>Former Engineer, EA Engineering, Science, and Technology, Inc.</p> <p>U.S. Army Corps of Engineers - New York District 26 Federal Plaza New York, NY 10278 Telephone: (212) 264-4549</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Monty L. Kehl</p> <p>Former Employee and Assistant Treasurer, Maxus Energy Corporation</p> <p>9147 Buffalo Speedway Houston, TX 77025</p>	<p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Transactions involving subsidiaries of Maxus after 1995.</p>
<p>Naomi Rasmond Fraenkel</p> <p>Plan Formulation Branch U.S. Army Corps of Engineers - New York District 26 Federal Plaza New York, NY 10278</p>	<p>Lower Passaic River Navigation Analysis.</p>
<p>Nina McAfee</p> <p>Former Environmental Coordinator, Chemical Land Holdings, Inc.</p> <p>2313 Waterway Seabrook, TX 77586</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Accounting practices and financial transactions involving Maxus and Tierra.</p>
<p>Paul Bluestein</p> <p>Senior Environmental Engineer Tierra Solutions, Inc. 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus</p>

<p>Telephone: (732) 246-3091</p>	<p>and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Paul Brzozowski</p> <p>Vice President Tierra Solutions, Inc. 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816 Telephone: (732) 246-5851</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Peter Nerger</p> <p>President, Marisol, Inc.</p> <p>Address unknown at this time</p>	<p>Condition of plant and real estate located at 80 Lister Avenue when acquired by Marisol in 1981.</p> <p>Actions taken by Marisol at 80 Lister in 1981 to 1983.</p> <p>Discovery of dioxin at 80 Lister in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>Ralph K. Markarian</p> <p>Senior Principal and Vice President Entrix 2804 Huey Ave. Drexel Hill, PA 19026 Telephone: (610) 284-7820</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Ray R. Irani</p> <p>President and CEO Occidental Petroleum Corporation 10889 Wilshire Blvd. Los Angeles, CA 90024 Telephone: (310) 208-8800</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>
<p>Raymond Gill</p> <p>Former Associate General Counsel, Occidental Petroleum Corporation</p> <p>1102 Villa View Drive Pacific Palisades, CA 90272 Telephone: (310) 459-1604</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p>

<p>Raymond J. Basso</p> <p>Strategic Integration Manager United States Environmental Protection Agency Region 2 290 Broadway New York, NY 10007-1866 Telephone: (212) 637-4417</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Response actions at the Lister Site, the Passaic River, Newark Bay, and related areas.</p>
<p>Richard J. Gimello</p> <p>Former Executive Director of Intermodal Services, New Jersey Department of Transportation</p> <p>Consultant WCD Consultants 7 Tree Farm Rd., Suite 206 Pennington, NJ 08534 Telephone: (609) 730-0007</p>	<p>Environmental conditions in the lower seventeen miles of the Passaic River and Newark Bay.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p>
<p>Richard J. Polo, Jr.</p> <p>Former Commander, United States Army Corps of Engineers</p> <p>Address unknown at this time</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>Response actions in the Passaic River and related areas.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p> <p>Navigability and dredging of the Passaic River and Newark Bay.</p>
<p>Rick Hartline</p> <p>Former Accountant, Maxus Energy Corporation (Retired) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380 Telephone: (281) 681-7200</p>	<p>Accounting practices and financial transactions involving Maxus and Tierra.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p>
<p>Robert ("Bob") Romagnoli</p> <p>Vice President ARCADIS 6723 Towpath Road P.O. Box 66 Syracuse, NY 13214-0066 Telephone: (315) 671-9250</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Robert A. Profusek</p> <p>Partner Jones Day</p>	<p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum</p>

<p>222 East 41st St. New York, NY 10017 Telephone: (212) 326-3800</p>	<p>Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>Robert C. Halden</p> <p>Former Engineer, Diamond Shamrock Chemicals Company</p> <p>140 Carmella Drive Irwin, PA 15642</p>	<p>Discovery of dioxin at 80 Lister in 1983.</p> <p>Control of the Lister Site by regulators beginning in 1983.</p>
<p>Robert K. Simons</p> <p>Vice President Simons & Associates 2601 South Lemay, Suite 39 Fort Collins, CO 80525 Telephone: (970) 988-2880</p>	<p>Hydrodynamic modeling information shared with government agencies.</p>
<p>Robert L. Chonoles</p> <p>Former Newark Plant Manager, Diamond Shamrock Corporation</p> <p>2212 SE Aneci Street Port St. Lucie, FL 34984</p>	<p>Operations at the former Diamond Shamrock facility at 80 Lister Avenue.</p> <p>Shutdown and cleanup of 80 Lister Avenue in 1969 by Diamond Shamrock Corporation.</p>
<p>Roberto Luis Monti</p> <p>Former President, Maxus Energy Corporation</p> <p>263 Sugerberry Circle Houston, TX 77024</p>	<p>Acquisition of Maxus by YPF, S.A. in 1995.</p> <p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p>
<p>Ron Corcory</p> <p>Assistant Director New Jersey Department of Environmental Protection Oversight Resources Allocation 401 East State Street, 6th Floor Trenton, NJ 08625-0028 Telephone: (609) 633-1408</p>	<p>Environmental conditions in the lower seventeen miles of the Passaic River and Newark Bay.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p>
<p>Sammy Saleh</p> <p>Financial Coordinator Tierra Solutions, Inc. 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816 Telephone: (732) 246-5850</p>	<p>Accounting practices and financial transactions involving Tierra.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p>

<p>Sandy Staigerwell</p> <p>Project Manager EA Engineering, Science, and Technology, Inc. 15 Loveton Circle Sparks, MD 21152 Telephone: (410) 771-4950</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Sara Galley</p> <p>Environmental Counsel Maxus Energy Corporation 1330 Lake Robbins Dr., Suite 300 The Woodlands, TX 77380 Telephone: (281) 681-7255</p>	<p>Cross-claim allegations regarding duty to defend under the 1986 SPA.</p>
<p>Scott Burton</p> <p>Former Environmental Engineer, Tierra Solutions, Inc.</p> <p>6 Lancaster Drive Suffern, NY 10901 Telephone: (914) 732-3492</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>Susan P. Bodine</p> <p>Former Assistant Administrator, OSWER United States Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, DC 20460</p>	<p>Environmental conditions at the Lister Site, in the Passaic River, in Newark Bay, and at various upland sites along or in proximity to Newark Bay or its tributaries.</p> <p>Response actions at the Lister Site, the Passaic River, Newark Bay, and related areas.</p>
<p>Teresa Jordan</p> <p>TERSCO Environmental Consulting 10265 Woodbury Road Laingsburg, MI 48848 Telephone: (517) 651-2400</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p>
<p>Theodore ("Ted") Tomasi</p> <p>Principal Entrix 10 Corporate Circle, Suite 300 New Castle, DE 19720 Telephone: (302) 395-1919</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>Timothy J. Iannuzzi</p> <p>Principal Ecologist ARCADIS</p>	<p>Cleanup and removal costs incurred by Maxus and/or Tierra in connection with the Newark Bay Complex.</p>

<p>326 First Street, Suite 200 Annapolis, MD 21403 Telephone: (410) 295-1205</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>Alleged natural resource damages.</p>
<p>Tom Cozzi Director, New Jersey Department of Environmental Protection Division of Remediation Management and Response P.O. Box 028 401 East State Street, 5th Floor Trenton, NJ 08625 Telephone: (609) 633-1408</p>	<p>Plaintiffs' alleged damages sought in this litigation.</p> <p>Environmental conditions in the Newark Bay Complex.</p> <p>EPA's and other efforts to address environmental conditions in the Passaic River and Newark Bay.</p> <p>Alternative sources of contamination in the Passaic River and Newark Bay.</p> <p>Factual basis for Plaintiffs' allegations, including, but not limited to, allegations of discharges from the Lister Site.</p>
<p>Valerie A. Craven Senior Managing Scientist Exponent 500 12th Street, Suite 220 Oakland, CA 94607 Telephone: (707) 836-9997</p>	<p>Human health risk information provided to the Environmental Protection Agency.</p>
<p>W. E. ("Ed") Notestine Former In-House Counsel, Diamond Shamrock Corporation 4537 Lorraine Avenue Dallas, TX 75205 Telephone: (214) 459-2770</p>	<p>Incorporation of Maxus Energy Corporation in 1983 and alleged reorganization during 1983 - 1984.</p> <p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p>
<p>W. Mark Miller Former Executive Vice President, Maxus Energy Corporation 8804 Glen Garden Drive McKinney, TX 75070 Telephone: (214) 551-2673</p>	<p>Work performed by Maxus and/or Tierra relating to the Lister Site and the Newark Bay Complex.</p> <p>1996 transfer of the stock of Chemical Land Holdings, Inc. to CLH Holdings, Inc.</p> <p>Contribution Agreement.</p> <p>Assumption Agreement.</p>
<p>Wayne Kincannon Former Vice President, Diamond Shamrock Chemical Company</p>	<p>Alleged manufacture of pesticides and herbicides at the plant located at 80 Lister Avenue by Chemicaland for Diamond Shamrock Chemical Company.</p>

Address unknown at this time	Occidental operation and management of 80 Lister Avenue during the 1970s.
<p>William B. Cline</p> <p>Gaffney, Cline & Associates, Inc. Four Oaks Place 1360 Post Oak Blvd., Suite 2500 Houston, TX 77056 Telephone: (713) 850-9955</p>	Fair value of YPF Ecuador, Inc.
<p>William C. ("Bill") Hutton</p> <p>Former Director, Health and Environmental Affairs, Diamond Shamrock Corporation</p> <p>Environmental Consultant William C. Hutton Consultants, Inc. 4809 Saint Andrews Drive College Station, TX 77845 Telephone: (979) 690-7888</p>	<p>Closure and sale of the Lister Site.</p> <p>The formation of Maxus in 1983 and alleged reorganization during 1983 - 1984.</p> <p>Knowledge regarding the negotiation, consummation, and/or implementation of the Stock Purchase Agreement by and among Diamond Shamrock Corporation, Occidental Petroleum Corporation, Occidental Chemical Holding Corporation and Oxy-Diamond Alkali Corporation dated September 4, 1986.</p> <p>Occidental as successor to DSCC.</p> <p>The acquisition of 80 and 120 Lister Avenue to facilitate cleanup.</p> <p>The formation of Tierra.</p> <p>Work performed by Maxus and/or Tierra relating to the Lister Site and the Newark Bay Complex.</p>
<p>William H. Desvousges</p> <p>Former President, Triangle Economic Research</p> <p>W H Desvousges and Associates 700 Exposition Place, Suite 141 Raleigh, NC 27615 Telephone: (919) 847-7101</p>	<p>Economic research and information related to natural resource damages.</p> <p>Environmental conditions in the Newark Bay Complex.</p>
<p>William J. Walker</p> <p>Principal Walker and Associates, Inc. 2618 J Street, Suite 1 Sacramento, CA 95816 Telephone: (916) 442-5304</p>	<p>Environmental conditions in the Newark Bay Complex.</p> <p>Discharges to the Passaic River, Newark Bay, and related tributaries made by other entities, and associated environmental impacts.</p>
<p>William Leckie</p> <p>Vice-President, Walter R. Ray Holding Co., Inc.</p> <p>Address unknown at this time</p>	<p>Occidental operation and management of 80 Lister Avenue during the 1970s.</p> <p>Shutdown of 80 Lister Avenue in 1977.</p>

	Ownership of a parcel of the property located at 80 Lister Avenue by the City of Newark in the late 1970s.
William M. Wicker Managing Director CS First Boston Corporation 55 East 52nd Street New York, NY 10055-1086 Telephone: (212) 909-2000	Fair value of Java and Sumatra assets. Fair value of Maxus Ecuador, Inc.

Maxus and Tierra hereby incorporate by reference as if fully stated herein each individual listed in Plaintiffs' Initial Disclosures under Rule 26 of the Federal Rules of Civil Procedure served on September 27, 2006, Exhibit A, listed under each enumerated topic as follows:

- Item 3, New Jersey Department of Environmental Protection;
- Item 4, New Jersey Department of Transportation;
- Item 5, United States Environmental Protection Agency;
- Item 6, United States Fish & Wildlife Services;
- Item 7, United States Army Corps of Engineers; and
- Item 8, National Oceanic and Atmospheric Administration.

Maxus and Tierra also reserve the right to identify any individuals disclosed in responses to interrogatories or disclosures by the Plaintiffs, other defendants or third-party defendants.

II. Description of Documents and Data Compilations

Maxus and Tierra have filed counterclaims, cross-claims, and third-party claims in this action. Discovery on the allegations in these filings has yet to commence; therefore, Maxus and Tierra reserve the right to modify these Amended Initial Disclosures based on facts developed during discovery related to these claims. Based on their review of the Second Amended Complaint, Maxus and Tierra have located certain documents in their possession, custody or

control regarding potential defenses to the claims asserted in this action. As noted above, there is a great deal of ambiguity surrounding Plaintiffs' damages and claims; therefore, potential defenses have not been fully identified. Maxus and Tierra reserve the right to supplement, correct or amend these disclosures.

The documents Maxus and Tierra may use to support its claims and defenses in this litigation include those that fall in one or more of the categories listed below. Maxus and Tierra reserve the right to supplement this disclosure in the event that non-duplicative documents are located in the possession or control of consultants engaged by Maxus and/or Tierra related to the claims at issue in this litigation.

Documents by Category:	Location:
<p>Documents containing information relating to the environmental conditions in the Passaic River, the Lower Passaic River Study Area, the Newark Bay Study Area, the Newark Bay Complex, the Diamond Alkali Superfund Site, the property at 80 and 120 Lister Avenue or related areas.</p> <p>This category of documents may include, but is not limited to, analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents containing information relating to the past operations of the former manufacturing facility located at 80 Lister Avenue.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are</p>

	likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.
<p>Documents containing information relating to conditions of the former manufacturing site at 80 Lister Avenue or related areas.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents containing information relating to other entities that have discharged substances into the Passaic River, the Lower Passaic River Study Area, the Newark Bay Study Area or the Newark Bay Complex.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents containing information relating to the insurance litigation referenced in Plaintiffs' Second Amended Complaint, which includes documents related to the topics described above.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Files maintained by Cahill Gordon Reindell in prosecution of the insurance litigation.</p> <p>Currently located at: Andrews Kurth, LLP 10001 Woodloch Forest Dr. Suite 200 The Woodlands, TX 77380</p>
<p>Documents containing information relating to the defense of allegations in Plaintiffs' Second Amended Complaint regarding alleged discharges from 80 Lister Avenue in 1983 or after.</p>	<p>Files maintained by McCarter & English, LLP in defense of the Ironbound litigation.</p> <p>Currently located at: Andrews Kurth, LLP</p>

<p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>10001 Woodloch Forest Dr. Suite 200 The Woodlands, TX 77380</p>
<p>Documents containing scientific or technical data regarding the chemical characteristics, toxicology, ecological impact, fate and transport, or other properties of 2,3,7,8-tetrachlorodibenzo-p-dioxin.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, administrative agency documents or materials, academic literature, memoranda, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents containing information relating to cleanup and removal activities performed by Maxus and Tierra in the Newark Bay Complex and the costs associated therewith.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents containing information regarding natural resources in the vicinity of the Passaic River or damages thereto.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the</p>

	consulting firms whose employees are identified in Item I.
<p>Documents containing information relating to the impact of potential future actions in the Passaic River and Newark Bay.</p> <p>This category of documents may include, but is not limited to analytical data, reports, correspondence, notes, articles, data sheets, corporate documents, court papers and filings, administrative agency documents or materials, news articles, academic literature, memoranda, invoices, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p><i>Duplicate copies of certain documents in this category are present at the following locations:</i></p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p> <p>Also, duplicate copies of certain documents are likely to be in the possession of one or more of the consulting firms whose employees are identified in Item I.</p>
<p>Documents regarding corporate history, organization, and transactions involving Maxus.</p> <p>This category of documents may include, but is not limited to, reports, correspondence, notes, corporate documents, memoranda, financial data, and other types of materials.</p>	<p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p>
<p>Documents regarding corporate history, organization, and transactions involving Tierra.</p> <p>This category of documents may include, but is not limited to, reports, correspondence, notes, corporate documents, memoranda, financial data, and other types of materials.</p>	<p>Tierra Solutions, Inc. (and offsite archives) 2 Tower Center Blvd., 10th Floor East Brunswick, NJ 08816</p> <p>Maxus Energy Corporation (and offsite archives in Houston and Dallas) 1330 Lake Robbins Drive, Suite 300 The Woodlands, TX 77380</p>
<p>Electronic data and files related to the above-listed categories.</p>	<p>Maxus and Tierra are in the process of identifying and locating responsive electronically stored information (ESI). All parties will be discussing a formal ESI Plan that will more specifically address the preservation and production format for responsive ESI. In as much as this process is ongoing, these disclosures will be supplemented as more evidence is located and Maxus and Tierra will work together with Plaintiffs and other defendants in developing same.</p>

III. Computation of Damages

Maxus and Tierra have incurred cleanup and removal costs in connection with various orders and/or regulatory agreements relating to the Newark Bay Complex including:

- Administrative Order on Consent; In the Matter of the Diamond Alkali Superfund Site (Passaic River Study Area), dated April 20, 1994;
- Administrative Order on Consent for Remedial Investigation and Feasibility Study; In the Matter of the Diamond Alkali Superfund Site (Newark Bay Study Area), dated February 13, 2004;
- Agreement; In the Matter of the Lower Passaic River Study Area Portion of the Diamond Alkali Superfund Site, dated April 6, 2004;
- Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study; In the Matter of the Lower Passaic River Study Area Portion of the Diamond Alkali Superfund Site, dated May 8, 2007;
- Administrative Settlement Agreement and Order on Consent for Removal Action; In the Matter of the Lower Passaic River Study Area of the Diamond Alkali Superfund Site, dated June 19, 2008; and
- Interim Cooperative Assessment Funding Agreement for the Diamond Alkali Superfund Site, New Jersey (2008).

Maxus and Tierra are in the process of bringing the tabulation of the cleanup and removal costs incurred in connection with these orders and agreements up-to-date, but the cleanup and removal costs incurred by Maxus and Tierra exceed \$50 million to date. Further, Maxus and Tierra will seek the recovery of future costs that they will incur, including, but not limited to, the approximately \$80 million in future cleanup and removal costs that Tierra has already committed to incurring in connection with the latter two agreements listed above. In addition, Maxus and Tierra have incurred recoverable attorneys' fees and expenses, which are presently being tabulated. Maxus and Tierra reserve their right to amend and/or supplement this disclosure after analysis of their costs is complete.

In addition to the cleanup and removal costs described above, Maxus and Tierra seek, by way of their counterclaim, cross-claim, and third-party claims, an equitable share of any cleanup and removal costs, damages or other form of monetary relief, if any, for which Maxus and/or Tierra may be found liable in this lawsuit. Maxus and Tierra also reserve their right to amend this disclosure should the scope of the claims in this litigation change or additional recoverable costs be identified.

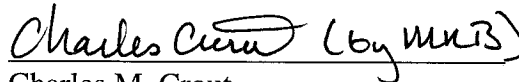
IV. Insurance Agreements

Maxus and Tierra do not believe that there is any insurance coverage available to satisfy any environmental claims in Plaintiffs' Second Amended Complaint or breach of contract action in Occidental's cross-claim. In the event such coverage is discovered to exist at a later point in time, Maxus and Tierra will supplement this disclosure as required under the rules.

V. Supplementation

Maxus's and Tierra's Amended Initial Disclosures are made without prejudice to their right to change or supplement their responses, their right to assert privileges or objections with respect to any subsequent requests for discovery, and their right to introduce at trial additional evidence and documents as warranted by the development of the facts underlying this litigation.

Respectfully Submitted,

 (by MMR)

Charles M. Crout

February 17, 2009

CERTIFICATE OF SERVICE

CHARLES M. CROUT, in lieu of oath or affidavit, certifies and says:

1. I am an attorney-at-law and Partner at the law firm of Andrews Kurth LLP, - counsel for Maxus Energy Corporation (“Maxus”) and Tierra Solutions, Inc. (“Tierra”) in connection with the above-captioned matter.

2. I hereby certify that, on this date, copies of Maxus Energy Corporation’s and Tierra Solutions, Inc.’s Amended Initial Disclosures were served upon the following counsel of record via e-mail and Federal Express:

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I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Charles Crout (by MCB)
Charles M. Crout

DATED: February 17, 2009