

This Order prepared and entered by the Court

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,

Plaintiffs  
vs.

OCCIDENTAL CHEMICAL CORPORATION, TIERRA SOLUTIONS, INC., MAXUS ENERGY CORPORATION, REPSOL YPF, S.A., YPF, S.A., YPF HOLDINGS, INC., and CLH HOLDINGS, INC.,

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION — ESSEX COUNTY  
DOCKET NO: ESX-L-9868-05

Civil Action

ORDER

This matter having come before the Court on a motion of Repsol YPF, S.A., YPF, S.A., YPF Holdings, Inc., and CLH Holdings, Inc., for an Order dismissing the Complaint and barring the proposed crossclaims of Occidental Chemical Corporation on the grounds of lack of in personam jurisdiction and the Court having considered the matter and for good cause shown and for the reasons set forth in a written opinion this date:

It is on this 5<sup>th</sup> day of September 2008 ORDERED as follows:

- 1. The Motion to Dismiss the Complaint as to Repsol YPF, S.A., is denied;
- 2. The Motion to Dismiss the Complaint as to YPF, S.A., YPF Holdings, Inc., and CLH Holdings, Inc., is denied;
- 3. The Motion to bar the proposed crossclaims of Occidental Chemical Corporation be and hereby is denied; and
- 4. Any counsel wishing a signed copy of this Order marked "Filed" shall make such a request in writing and include a self-addressed stamped envelope.

/s/ *Donald S. Goldman*

DONALD S. GOLDMAN, J.S.C