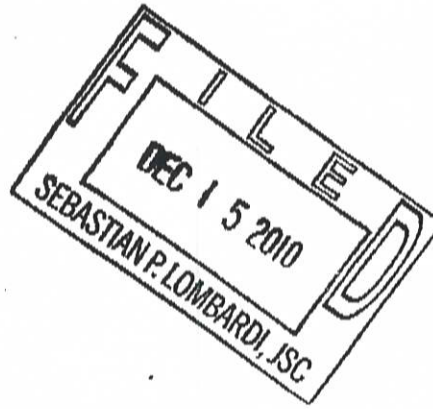


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NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,  
THE COMMISSIONER OF THE  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION and THE  
ADMINISTRATOR OF THE NEW  
JERSEY SPILL COMPENSATION  
FUND,  
Plaintiffs.

v.  
OCCIDENTAL CHEMICAL  
CORPORATION, TIERRA  
SOLUTIONS, INC., MAXUS ENERGY  
CORPORATION, MAXUS  
INTERNATIONAL ENERGY  
COMPANY, REPSOL YPF, S.A.,  
YPF, S.A., YPF HOLDINGS, INC., YPF  
INTERNATIONAL S.A. (f/k/a/ YPF  
INTERNATIONAL LTD.) and  
CLH HOLDINGS,  
Defendants.

MAXUS ENERGY  
CORPORATION and TIERRA  
SOLUTIONS, INC.,  
Third-Party Plaintiffs,  
v.

3M COMPANY, et al.,  
Third-Party Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - ESSEX COUNTY  
DOCKET NO. ESX-L9868-05 (PASR)

Civil Action

ORDER

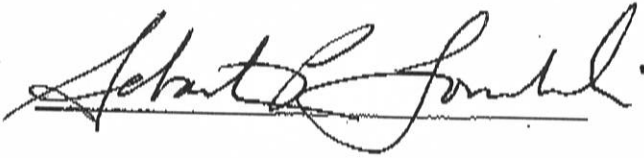
THIS MATTER having come before the Court on the New Jersey Department of Environmental Protection, the Commissioner of the New Jersey Department of Environmental Protection and the Administrator of the New Jersey Spill Compensation Fund's (collectively, "Plaintiffs") Cross-Motion to Reserve Third- or Fourth-Party Claims, and having considered the moving papers and opposition papers, and having heard oral argument, and for good cause shown,

IT IS on this 15<sup>th</sup> day of December, ORDERED AS FOLLOWS:

THAT the Plaintiffs have timely raised the issue of the impact of the entire controversy doctrine in this matter by seeking guidance from the Court as to whether any and all potential claims Plaintiffs have against present Third-Party Defendants and any future third and fourth party defendants must be brought in this case;

THAT any and all claims the Plaintiffs may have against current Third-Party Defendants, as well as any future third-or fourth-party defendants that could be brought in this litigation, are hereby reserved during the pendency of, and after the conclusion of, this litigation; however, in no event shall Plaintiffs be entitled to a double recovery of damages that they may ultimately recover from the named Defendants in this litigation in later litigation against third or fourth parties.

Counsel for Plaintiffs shall serve a copy of this Order on all counsel of record within seven (7) days of the date of entry of this Order.



HON. SEBASTIAN P. LOMBARDI, J.S.C.

ORDER entered for the Plaintiff  
stated in an oral decision  
on 12/14/10