

**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
(973) 596-4500  
Attorney for Third-Party Defendant  
Universal Oil Products Company

---

NEW JERSEY 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,  
REPSOL YPF, S.A., YPF, S.A., YPF  
HOLDINGS, INC. and CLH HOLDINGS,  
INC.,

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. L-9868-05 (PASR)

CIVIL ACTION

**CMO V THIRD-PARTY INITIAL  
DISCLOSURE ON BEHALF OF  
UNIVERSAL OIL PRODUCTS  
COMPANY**

Comes now Third-Party Defendant Universal Oil Products Company (“UOP”), and for its Initial Disclosure in accordance with Case Management Order V provides the following specific information:

## Reservations

1. UOP reserves 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 UOP may have with respect to any outstanding or subsequent requests for discovery.

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

3. The time period covered by the allegations in the Plaintiffs' Second Amended Complaint is quite long and encompasses at least six decades. The geographic scope of the Second Amended Complaint is also quite broad, covering the '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 scope of inquiry required by Plaintiffs and Third-Party Defendants is accordingly quite broad and potentially burdensome. UOP is therefore engaged in a continuing investigation and reserves the right to supplement and modify these disclosures.

## **Initial Disclosures**

**a. The name, address and telephone number, as may be known of each individual likely to have discoverable information, along with the subjects of that information, that relates to any alleged discharge or release of pollutants, contaminants and/or hazardous substances (“Pollutants”) into the Newark Bay Complex (as these terms are defined in the Second Amended Complaint and the Third-Party Complaints) from the site(s) and/or properties with which the disclosing party is associated in the Third-Party Complaint (“Alleged Discharges”);**

## **Response**

Defendant-Third Party Plaintiffs Tierra Solutions, Inc. and Maxus Energy Corporation (collectively, “TPPs”) allege that discharges of hazardous substances to and from the UOP Site were transported into Berry’s Creek and Ackerman’s Creek, and thence into the Newark Bay Complex. UOP denies that any Pollutants that may have been discharged or released at the UOP Site were transported to or impacted the Newark Bay Complex. Accordingly, UOP does not have knowledge of any individual likely to have discoverable information relating to alleged discharge of Pollutants into or affecting the Newark Bay Complex.

However, in a good faith effort to comply with CMO V, UOP is disclosing the following individuals who may have discoverable information relating to the UOP Site and remedial activities at the UOP Site. This identification is not an admission that such persons have information relating to any Alleged Discharges, and no applicable privileges, doctrines, defenses, or protections should be deemed waived concerning these individuals or the entities with which they are associated. UOP reserves the right to amend this list as more specific information regarding the nature and basis of Third Party Plaintiffs’ claims becomes available.

Further, at the appropriate time, UOP will identify experts who may provide relevant expert testimony in this litigation. UOP further reserves the right to rely on witnesses under the control of (and identified in the initial disclosures of) plaintiffs, defendants, and other third party defendants, regardless of whether such witnesses have been identified below.

**UOP requests that notice be provided in writing to undersigned counsel before any current or former employees or consultants of UOP, Trubek Laboratories, Inc., Allied Corporation, The Signal Companies, Allied-Signal Corporation, AlliedSignal, Inc., or Honeywell International, Inc.**

NAME/TITLE/COMPANY	LAST KNOWN ADDRESS/PHONE	SUBJECT
Richard Galloway Honeywell International Inc.	101 Columbia Road Morristown, NJ 07962 (973) 455-2000	Mr. Galloway is the Honeywell Remediation Manager with responsibility for the AlliedSignal, General Chemical, and UOP sites. Subjects on which Mr. Galloway may have knowledge include the investigation and remediation of environmental conditions at and emanating from the AlliedSignal, General Chemical, and UOP Sites.
J. Mark Kamilow	12 Briarwood Lane New Hartford, NY 13413 (315) 507-4731	Mr. Kamilow is a retired Remediation Manager who was formerly responsible for the AlliedSignal, General Chemical and UOP Sites. Subjects on which Mr. Kamilow may have knowledge include the investigation and remediation of environmental conditions at and emanating from the AlliedSignal, General Chemical, and UOP Sites.
Amy Richter Honeywell International Inc.	101 Columbia Road Morristown, NJ 07962 (973) 455-2000	Ms. Richter is a Honeywell Litigation Paralegal who is generally familiar with Honeywell's document repositories and retention policies.
Donald T. Bauch, Manager of Utilities and Environment, UOP	Unknown	Mr. Bauch has knowledge of utilities and environmental issues at the UOP site.
Owen D. Burke, Area Production Manager UOP	228 East Lane, Clark, NJ 07066	Mr. Burke was responsible for production west of the railroad tracks at the UOP site from about 1953 through about 1980.
Darren Chenkin, UOP	Unknown	Mr. Chenkin as general knowledge of operations at the UOP site.

John E. Cleveland, Director of Operations UOP	20 4 <sup>th</sup> Street and 5 <sup>th</sup> Avenue Huntington, WV 25722	Mr. Cleveland was responsible for operations and waste management at the UOP site from about 1972 to about 1977.
Don Donahue, Manager of Purchasing, UOP	Unknown	Mr. Donahue has general knowledge of the UOP site.
Dr. Morris Dunkel, Director of Chemistry, Trubek Laboratories, Inc. and UOP	Unknown	Dr. Dunkel has general knowledge of operations at the UOP site.
Victor Fonseca, Materials Manager, UOP	23 Jane Street, E. Rutherford, NJ 07073	Mr. Fonseca has knowledge of materials used for wastewater treatment from about 1959 through about 1980.
Rodger C. Garrison, Facilities Manager, UOP	UOP Inc., Automotive Products Div. 40 UOP Plaza Des Plaines, IL	Mr. Garrison has general knowledge of the facility's operations from about 1957 through about 1973.
Steven M. Gerstein, Group Leader- Engineering Plant Support, UOP	1038 Tangebria Drive Baton Rouge, LA 70810	Mr. Gerstein has knowledge of wastewater problems at the UOP site from about 1978 through about 1979.
R.G. Haldeman, Asst. to Sr. UOP VP, UOP	UOP Inc., Ten UOP Plaza Des Plaines, IL 60016	Mr. Haldeman assisted in shutting down UOP's operations at the UOP Site in 1980.
Vincent J. Iappelli, Production Manager, UOP	50 Mitchell Street Lodi, NJ 07644	Mr. Iappelli has knowledge of the implementation of abatement measures at the UOP site.
Robert P. Lanyon, Utilities Manager, UOP	48 Stephenville Parkway, Edison, NJ 08817	Mr. Lanyon has knowledge of utilities management at the UOP site from about 1973 through about 1977.
J.P. Larson, UOP Group Vice President, Director of Operations of the Chemical Division, UOP	UOP, Inc. Ten UOP Plaza, Des Plaines, IL 60016	Mr. Larson had responsibility for overall policy at the UOP site from about 1961 through about 1982.
James V. Lavin, Facilities Manager UOP	528 Ridgeway Avenue, South Amboy, NJ 08879	Mr. Lavin had general knowledge of operations at the UOP site from about 1958 through about 1979.
John L. Leech, President and General Manager, UOP	Englewood, FL	Mr. Leech may have had knowledge of environmental conditions and operations at the site during UOP's ownership.

George Leightle, Director of Operations, UOP	P.O. Box 101 Morris Plains, NJ 07950	Mr. Leightle has knowledge of overall operations at the UOP site from about 1977 through about 1979.
William Lintner, UOP	Unknown	Mr. Lintner has general knowledge of the UOP site.
Dana C. Lockwood, Environmental Engineer/Manager, UOP	Hooker Chemical Niagara Falls, NY	Dana Lockwood has knowledge of environmental issues at the UOP site from about 1979 through about 1980.
Craig C. Luebeck, Senior Development Engineer, UOP	54 Schuler Avenue, Waldwick, NJ	Mr. Luebeck has knowledge of environmental improvement programs at the UOP site from about 1975 through about 1980.
Mitchell A. Monchinski, UOP	Unknown	Mr. Monchinski has general knowledge of the site.
Lee Nearnberg, UOP	Unknown	Mr. Nearnberg has general knowledge of the site.
Frank Noga, Senior Odor Specialist, UOP	58 Echo Place Elmwood Park, NJ	Mr. Noga has knowledge about identification of pollutants at the UOP site.
Phillip Paonessa, Area Production Manager, UOP	645 Ward Avenue, Westwood, NJ 07675	Mr. Paonessa was responsible for production east of the railroad tracks at the UOP site from about 1939 to about 1980.
Jack C. Phillips, Environmental Manager, UOP	A Sterling Avenue, Mendham, NJ 07945	Mr. Phillips has knowledge of environmental affairs at the UOP site from about 1977 through about 1979.
John Savage, Utilities Superintendent, UOP	Unknown	Mr. Savage has general knowledge of the UOP site.
Robert Simmons, Utilities Manager, UOP	110 Church Street Manasquan, NJ 08736	Mr. Simmons has knowledge of utilities at the UOP site.
Allen K. Sparks, Vice President and General Manager, UOP	UOP Norplex Division, LaCrosse, WI	Mr. Sparks has general and technical knowledge of the UOP site.
Andrew Szurgot, Environmental Engineer, UOP	Unknown	Mr. Szurgot has general and environmental knowledge of the UOP site.
Raymond Wilhelm, Manager of Analytical Services, UOP	40 Bear Mountain Road Ringwood, NJ 07456	Mr. Wilhelm has knowledge of testing and analysis at the UOP site.

Edwin L. Williams, Jr., Plant Engineer, UOP	UOP, Inc. Automotive Products Division, Catoosa, OK	Mr. Williams has knowledge of equipment and maintenance procedures at the UOP site.
Anthony G. Bove, Section Manager, Water and Wastewater, Betz-Converse-Murdoch, Inc.	One Plymouth Meeting Mall, Plymouth Meeting, PA 19462	Mr. Bove was part of a team that served as experts and consultants for UOP in a litigation against the East Rutherford Sewerage Authority.
Brent W. Cowan, Project Engineer Betz-Converse-Murdoch, Inc.	One Plymouth Meeting Mall, Plymouth Meeting, PA 19462	Mr. Cowan was part of a team that served as experts and consultants for UOP in a litigation against the East Rutherford Sewerage Authority.
Anthony J. DeFalco, P.E., Assistant Vice President Betz-Converse-Murdoch, Inc.	One Plymouth Meeting Mall, Plymouth Meeting, PA 19462	Mr. DeFalco was part of a team that served as experts and consultants for UOP in a litigation against the East Rutherford Sewerage Authority.
George A. Prior, Ph.D., P.E. Technical Consultant, Betz-Converse-Murdoch, Inc.	One Plymouth Meeting Mall, Plymouth Meeting, PA 19462	Mr. Prior was part of a team that served as experts and consultants for UOP in a litigation against the East Rutherford Sewerage Authority.
Richard K. Rathmell, P.E., Manager, Northeast Region, Betz-Converse-Murdoch, Inc.	One Plymouth Meeting Mall, Plymouth Meeting, PA 19462	Mr. Rathmell was part of a team that served as experts and consultants for UOP in a litigation against the East Rutherford Sewerage Authority.
Kamil Sor, Ph.D. Shimel and Sor Testing Laboratories, Inc.	P.O. Box 78 19 Merry Lane East Hanover, NJ 07936	Dr. Sor has knowledge regarding testing of water samples in connection with litigation between UOP and the East Rutherford Sewerage Authority.
Daniel Friedland, Senior Vice President, Trubek Laboratories, Inc.	Unknown	Mr. Friedland may have had knowledge of operations at the UOP site during Trubek's ownership.
H.W. Grote, Trubek Laboratories, Inc.	Unknown	Mr. Grote has general knowledge of operations at the UOP site.
Robert M. Lusskin, Trubek Laboratories, Inc.	Unknown	Mr. Lusskin has general knowledge of operations at the UOP site.
Leonard Winston, Trubek Laboratories, Inc.	Unknown	Mr. Winston has general knowledge of operations at the UOP site.

**b. The name, address and telephone number, as may be known, of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses (unless the use would be solely for impeachment);**

**Response:**

UOP is still engaged in a continuing investigation and has not determined who it may use to support its claims or defenses. However, some of the individuals identified in a., above, may be used.

**c. The name, address and telephone number, as may be known, of any and all past or present owners, lessees or operators at the site(s) and/or properties with which it is associated in the Third-Party Complaint and the dates of such ownership, lease or operation, as may be known;**

**Response:**

<b>NAME/ADDRESS/PHONE</b>	<b>SITE ADDRESS</b>	<b>DATES AT SITE</b>
Jack W. Fox and Lillian R. Fox, Husband and Wife	Block 104, Lot 4-B	Owned through June 12, 1944
Interborough Coal & Supply Co.	Block 104, Lot 4-C	Owned through December 22, 1952
Trubek Company, et al.	Block 104, Lot 5	Owned through September 29, 1947
Trubek Company	Block 104, Lot 5-A	Owned through September 18, 1943
Interborough Coal & Supply Co.	Block 104, Lot 6	Owned through June 24, 1947
J. Chester Nassinger and John Grimshaw, Jr. as Substituted Executors and Trustees of the Estate of Anna E. Romaine, deceased	Block 104, Lot 7-B	Owned through November 28, 1941
Robert H. Ringewald and Ruth T. Ringewald, his wife	Block 105A, Lots 8, 11-B, and 13A	Owned through November 7, 1960
Trubek Company	Block 105A, Lots 9, 12, and 14-A	Owned through September 29, 1947
Borough of E. Rutherford	Block 105A, Lots 10, 16, 17-A, and 19C	Owned through June 22, 1953
Interborough Coal & Supply Co.	Block 105A, Lot 15-A	Owned through December 22, 1952
Trubek Company	Block 105B, Lot 14B	Owned through September 29, 1947
Herbert Trubek and Robert Trubek	Block 105B, Lot 14B	Owned from September 29, 1947
Borough of E. Rutherford	Block 105B, Lots 19E and 20A	Owned through June 22, 1953



<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 4-B	Owned from June 12, 1944 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 4-C	Owned from December 22, 1952 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 5	Owned from September 29, 1947 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 5-A	Owned from September 18, 1943 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 6	Owned from June 24, 1947 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 104, Lot 7-B	Owned from November 28, 1941 to March 23, 1960
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	Block 105A, Lots 9, 12, and 14-A	Owned from September 29, 1947 to March 23, 1960

<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 105A, Lots 10, 16, 17-A, and 19C</p>	<p>Owned from June 22, 1953 to March 23, 1960</p>
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 105A, Lot 15-A</p>	<p>Owned from December 22, 1952 to March 23, 1960</p>
<p>Trubek Laboratories, Inc. (N.J.)</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 105B, Lots 19E and 20A</p>	<p>Owned from June 22, 1953 to March 23, 1960</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 4-B</p>	<p>From March 23, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 4-C</p>	<p>From March 23, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 5</p>	<p>From March 23, 1960 to 2002</p>

<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 5-A</p>	<p>From March 23, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 6</p>	<p>From March 23, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 104, Lot 7-B</p>	<p>From March 23, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 105A, Lots 8, 11-B, and 13A</p>	<p>From November 7, 1960 to 2002</p>
<p>Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))</p> <p>Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000</p>	<p>Block 105A, Lots 9, 12, and 14-A</p>	<p>From March 23, 1960 to 2002</p>

Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))  Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000	Block 105A, Lots 10, 16, 17-A, and 19C	From March 23, 1960 to 2002
Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))  Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000	Block 105A, Lot 15-A	From March 23, 1960 to 2002
Universal Oil Products, Inc. (Through Trubek Laboratories, Inc. (D.E.))  Address: Honeywell Intl. Inc. 101 Columbia Road Morristown, NJ 07962 Telephone: (973) 455-2000	Block 105B, Lots 19E and 20A	From March 23, 1960 to 2002
New Jersey Sports & Exposition Authority	Portions of the UOP Site (Block 105.01, Lot 8 and Block 105.02, Lot 5)	New Jersey Sports & Exposition Authority 50 State Hwy. 120 East Rutherford, NJ 07073 (201) 935-8500

**d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual known to have material knowledge of an alleged discharge or release of a Pollutant at or from a site and/or property, or into the Newark Bay Complex), any known inability to testify due to age, infirmity, or incompetency within 12 months following the date of the Initial Disclosure;**

**Response:**

UOP is unaware at this time of any individual likely to have discoverable information with respect to the sites associated with UOP in the Third Party Complaint who has, or is likely to have within 12 months following the date of these Initial Disclosures, an inability to testify due to age, infirmity, or incompetency. UOP reserves the right to amend this Disclosure should additional or new information become available to UOP.

**e. A description by category and location (or copy at the discretion of the Third-Party Defendant) of all documents or electronically stored information that the disclosing party has in its possession, custody, or control with respect to Alleged Discharges including disclosure of the extent to which such documents or electronically stored information may fall within the Exempted Information.**

**Response:**

As noted in response to a. above, UOP denies that any Pollutants that may have been discharged or released at the UOP Site were transported to or impacted the Newark Bay Complex. Accordingly, UOP does not have any documents with respect to Alleged Discharges. However, in good faith, UOP advises, through its counsel, that counsel has made an effort to collect and maintain all relevant and responsive documents since at least the time of the Berry’s Creek Notice Letter from the USEPA. Therefore, UOP provides the following description of documents that may relate to its claims or defenses:

<b>DOCUMENTS BY CATEGORY</b>	<b>LOCATION</b>	<b>APPLICABLE EXCEPTION<sup>1</sup></b>
Administrative Orders/Complaints	Gibbons P.C., One Gateway Center, Newark, NJ 07102	A, B

<sup>1</sup> Applicable Exception Codes are as follows:

- a. Information, (“Information”), including, but not limited to, environmental, chemical and/or biological testing of groundwater, surface water, soil or sediment (hereinafter "Sampling Information") contained in the nexus packages produced pursuant to paragraph 8 (e) of CMO V; and
- b. Information previously produced to any branch, department, agency or instrumentality of the State of New Jersey including to the New Jersey Department of Environmental Protection (“NJDEP”) or Information produced to any other governmental agency or entity whose responsibility it is to oversee environmental compliance in the Newark Bay Complex Area, including, but not limited to, the United States Environmental Protection Agency and the United States Army Corps of Engineers (hereinafter “Governmental Recipients”);
- c. Information produced to any Licensed Site Remediation Professional (hereinafter “LSRP”) who is duly licensed by the State of New Jersey at the time of receipt of such Information where such disclosure of Information is intended to be used in connection with any remedial investigation or remedial action having an assigned case number in the NJDEP’s NJEMS data system;
- d. Sampling Information compiled with the expectation of being produced to a Governmental Recipient or an LSRP under Paragraphs 4(b) or 4(c) but which Sampling Information has not yet undergone quality assurance/ quality control or similar analysis;
- e. Information produced by a third-party defendant to any third-party plaintiff pursuant to the New Jersey Open Public Records Act or other freedom of information law or regulation;
- f. Information previously produced to Defendants and
- g. Information that falls within the attorney-client privilege and/or the attorney work product privilege.

Correspondence and communications with or from consultants	Gibbons P.C., One Gateway Center, Newark, NJ 07102	A, B, G
Correspondence and communications with or from governmental and regulatory agencies and authorities	Gibbons P.C., One Gateway Center, Newark, NJ 07102	A, B
Correspondence and communications with or from outside counsel	Gibbons P.C., One Gateway Center, Newark, NJ 07102	G
Correspondence with Honeywell and other owners of the UOP Site	Gibbons P.C. One Gateway Center Newark, NJ 07102	
Environmental permits, registrations, and certifications	Gibbons P.C., One Gateway Center, Newark, NJ 07102	B
Environmental records, reports, sampling plans and reports, presentations, maps, figures, laboratory documents, sampling data, remediation records, and drafts thereof	Gibbons P.C., One Gateway Center, Newark, NJ 07102	B, G
General compliance documentation, including but not limited to TSCA inventories, self-monitoring reports, and material safety data sheets	Gibbons P.C., One Gateway Center, Newark, NJ 07102	B
Ground Water Monitoring Reports	Gibbons P.C., One Gateway Center, Newark, NJ 07102	B
Health and Safety Information, Records, and Reports	Gibbons P.C., One Gateway Center, Newark, NJ 07102	
Current and historical ownership information, including transactional and related agreements, schedules, exhibits,	Gibbons P.C., One Gateway Center, Newark, NJ 07102	B, G

drafts thereof, and certificates of incorporation/corporate sale notices		
Waste disposal documentation	Gibbons P.C. One Gateway Center Newark, NJ 07102	B
Litigation Documents, including pleadings and answers to interrogatories	Gibbons P.C. One Gateway Center Newark, NJ 07102	G

UOP's 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,

GIBBONS P.C.




---

Edward F. McTiernan, Esq.  
One Gateway Center  
Newark, New Jersey 07102-5310  
Attorney for Third-Party Defendant  
Universal Oil Products Company

Dated: May 7, 2010

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of Third-Party Defendant Universal Oil Products Company's CMO V Third-Party Initial Disclosure was served electronically on all parties which have consented to service by posting on www.sfile.com/njdepvocc on May 7, 2010. The following counsel of record was served on May 7, 2010 via first class mail:

Richard J. Dewland, Esq. Coffey & Associates 465 South Street Morristown, NJ 07960	Borough of Hasbrouck Heights
John P. McGovern, Esq. City of Orange 29 North Day Street Orange, NJ 07050	City of Orange



\_\_\_\_\_  
Edward F. McTiernan, Esq.

Dated: May 7, 2010