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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 DOCKET NO. ESX-L-9868-05 (PASR)
Plaintiffs,	:	
vs.	:	
OCCIDENTAL CHEMICAL CORPORATION, TIERRA SOLUTIONS, INC., MAXUS ENERGY CORPORATION, REPSOL YPF, S.A., YPF, S.A., YPF HOLDINGS, INC. AND CLH HOLDINGS,	:	<b>INITIAL DISCLOSURE STATEMENT OF TOWNSHIP OF MONTCLAIR</b>
Defendants.	:	
MAXUS ENERGY CORPORATION and TIERRA SOLUTIONS, INC.,	:	
Third-Party Plaintiffs,	:	
vs.	:	
3M COMPANY, et al.,	:	
Third-Party Defendants.	:	

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In accordance with Case Management Order VIII, Township of Montclair hereby provides its Initial Disclosure Statement.

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 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: Third-Party Defendant Township of Montclair denies it discharged hazardous substances or pollutants. Any information concerning the administration of public services provided by Township of Montclair within the Township of Montclair is under the possession and control of:

Gary Obszarny, Director  
Department of Utilities  
Township of Montclair  
54 Watchung Avenue  
Montclair, New Jersey 07042

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: Gary Obszarny, Director  
Department of Utilities  
Township of Montclair  
54 Watchung Avenue  
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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: None known at this time.

d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual know 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: None known at this time.

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 Excepted Information.

RESPONSE: Third-Party Defendant Township of Montclair denies it has discharged or is a discharger in this matter. To the extent any relevant documents or information is available, it is in the custody and control of the Clerk of the Township of Montclair or the Municipal Engineer.

Third-Party Defendant reserves the right to supplement this Initial Disclosure Statement as additional information is obtained through investigation and discovery.

JOSEPH C. ANGELO, ESQ.  
Attorney for Third-Party Defendant,  
Township of Montclair

BY: 

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JOSEPH C. ANGELO  
Assistant Township Attorney  
Township of Montclair

Dated: April 15, 2010