

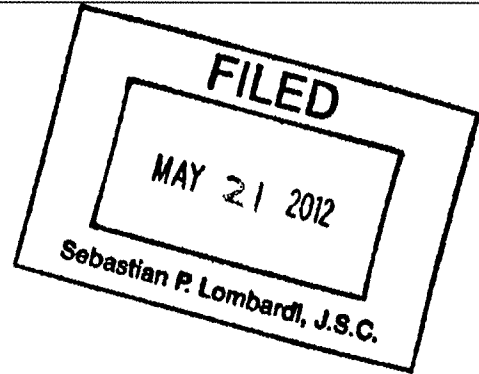
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NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE COMMISSIONER OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION and THE ADMINISTRATOR OF THE NEW JERSEY SPILL COMPENSATION FUND,

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, INC.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ESSEX COUNTY

DOCKET NO.: L-009868-05 (PASR)

Civil Action

ORDER GRANTING DEFENDANT OCCIDENTAL CHEMICAL CORPORATION'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON CROSS-CLAIM AGAINST MAXUS ENERGY CORPORATION FOR CONTRIBUTION UNDER THE NEW JERSEY SPILL ACT

THIS MATTER having come before the Court on the Cross-Motion of Defendant and Cross-Claimant Occidental Chemical Corporation, by and through its attorneys Archer & Greiner, P.C. and Gable Gotwals, for partial summary judgment against Defendant Maxus Energy Corporation; and the Court having considered the parties' submissions and arguments, and it appearing that no genuine issue of material fact exists and that Occidental Chemical Corporation is entitled to judgment as a matter of law; and for good cause having been shown;

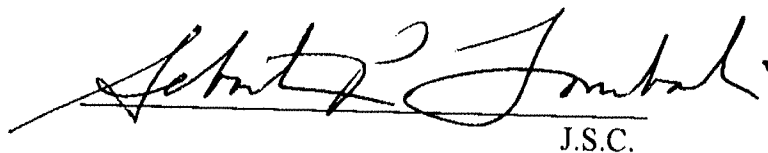
IT IS on this nd 21 day of May 2012 ORDERED that:

1. Defendant and Cross-Claimant Occidental Chemical Corporation's Motion For Partial Summary Judgment On Cross-Claim Against Defendant Maxus Energy Corporation For Contribution Under The New Jersey Spill Act is **GRANTED**; and

2. A declaratory judgment is hereby entered against Defendant Maxus Energy Corporation declaring that should Occidental Chemical Corporation's contribution claim against Maxus Energy Corporation under the Spill Compensation and Control Act ("Spill Act") ever arise, the element of the contribution claim that requires Maxus Energy Corporation to be a Spill Act liable party has been established.

A copy of this Order is to be served on all counsel of record within seven (7) days of receipt.

Opposed
 Unopposed


J.S.C.

SEBASTIAN P. LOMBARDI, J.S.C.

FOR REASONS STATED
ON THE RECORD ON
May 17, 2012.