

# ATTACHMENT B

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, 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 (PASR)

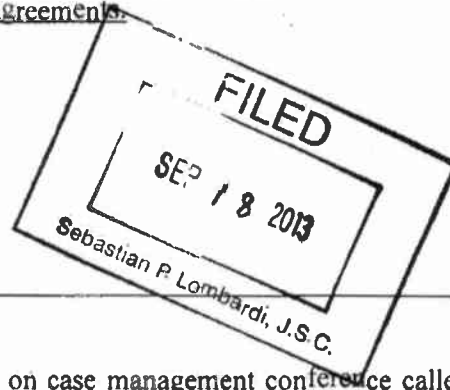
: CIVIL ACTION

: CASE MANAGEMENT ORDER XVIII

: Schedule for hearing and motion(s)

: regarding two pending settlement

: agreements.



THIS MATTER, having come before the Court on case management conference called by the Court, having been informed by the Appointed Special Master, Hon. Marina Corodemus (Ret.) that a proposed settlement agreements exists between 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 ("Plaintiffs") and certain third-party private and public defendants ("Third-Party Defendant Proposed Settlement") of which the parties now seek Court approval.

LIKEWISE, the Court having been informed that a proposed settlement exists between Plaintiffs and Maxus Energy Corporation, Tierra Solutions, Inc., Respol, YPF, S.A., YPF, HOLDINGS, Inc., and CLH Holdings Inc., (Original-Party Proposed settlement.) of which the parties now seek Court approval. This Court hereby issues the following schedule:

**1. SEPTEMBER 30, 2013:**

No later than September 30, 2013, the New Jersey Department of Environmental Protection shall release and publish "responses" to comments of both the Third-Party Defendant Proposed Settlement AND the Original-Party Proposed Settlement.

**2. OCTOBER 28, 2013:**

No later than October 28, 2013, the New Jersey Department of Environmental Protection may move and file before this Court, by way of direct application, a motion and brief seeking approval of both the Third-Party Defendant Proposed Settlement AND the Original-Party Proposed Settlement.

3. **NOVEMBER 5, 2013**

No later than November 5, 2013, any and all parties in support of either Settlement must file respectively their briefs and certifications.

4. **November 20, 2013**

No later than November 20, 2013, Original Defendant Occidental Chemical Corporation ("OCC") may choose to cross-move or oppose but must do so by November 20, 2013.

5. **DECEMBER 2, 2013 and December 6, 2013**


No later than December 2, 2013, Plaintiff and any other party who filed in support of Settlement and having received opposition or cross motion may file a response to said opposition or cross motion. No later than December 6, 2013, OCC may file a reply to the cross motion.

6. **DECEMBER 12-13, 2013**

The Court shall hear oral argument in accordance with the briefing schedule set forth herein. No party will be recognized for oral argument without having followed and filed the prescribed documents contained within this order.

ALL papers filed with accordance with this Court shall also be timely filed on CT SUMMATION.

SO ORDERED:

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

DATE: 9/18/13