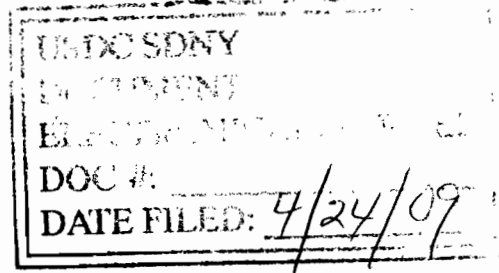


LEV L. DASSIN
Acting United States Attorney for the
Southern District of New York
By: SARAH S. NORMAND
Assistant United States Attorney
86 Chambers Street, Third Floor
New York, New York 10007
Telephone No. (212) 637-2709
Facsimile No. (212) 637-2702
sarah.normand@usdoj.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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In re: METHYL TERTIARY BUTYL ETHER
("MTBE") PRODUCTS LIABILITY
LITIGATION

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

----- X
This document relates to:

City of Merced Redevelopment Agency v.
ExxonMobil Corp. et al., No. 08 Civ. 6306(SAS)

In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation

Doc. 2321

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~~PROPOSED~~ ORDER

WHEREAS, by letter dated February 27, 2009, this Court certified to United States Attorney General Eric H. Holder, Jr., pursuant to 28 U.S.C. § 2403(a), that the constitutionality of Section 1503 of the Energy Policy Act of 2005, Pub. L. No. 109-58 (2005), had been drawn into question in the above-referenced action before the Court;

WHEREAS, the Court provided, pursuant to Federal Rule of Civil Procedure 5.1, that the Attorney General could intervene in the action within sixty days, or by April 28, 2009; and

WHEREAS, the United States has requested an additional sixty days to determine whether or not to intervene in this action,

IT IS HEREBY ORDERED that the United States may intervene in this action, pursuant to 28 U.S.C. § 2403(a), on or before June 28, 2009. *no further expensions will be granted.*

So Ordered:


HONORABLE SHIRA A. SCHEINDLIN
United States District Judge