

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION**

This document relates to:

City of New York v. Amerada Hess Corporation, et al.,
No. 04-CV-3417 (SAS)

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

**DEFENDANT EXXON MOBIL CORPORATION'S NOTICE OF MOTION AND
MEMORANDUM OF LAW TO EXCLUDE TESTIMONY AND OPINION OF MARTIN
TALLETT**

PLEASE TAKE NOTICE that on May 13, 2009, at the United States Courthouse at 500 Pearl Street, New York, New York, Defendant Exxon Mobil Corporation ("ExxonMobil") hereby moves this Court for an Order precluding Plaintiff from introducing certain testimony and opinion of Martin Tallett.

Defendants rely on the grounds stated in the accompanying Memorandum of Law in Support of Defendant Exxon Mobil Corporation's Motion to Exclude Testimony and Opinion of Martin Tallett filed herewith, and all prior proceedings and pleadings in this matter.

Dated: New York, New York
May 13, 2009

Respectfully submitted,



Peter J. Sacripanti (PS 8968)
James A. Pardo (JP 9018)
Stephen J. Riccardulli (SR 7784)
Michael J. Dillon (MD 4553)
MCDERMOTT WILL & EMERY LLP
340 Madison Avenue
New York, NY 10173-1922
Tel: (212) 547-5400
Fax: (212) 547-5444

Anthony A. Bongiorno (*pro hac vice*)
MCDERMOTT WILL & EMERY LLP
28 State Street
Boston, MA 02109-1775

Jennifer Kalnins Temple (JK 3274)
MCDERMOTT WILL & EMERY LLP
18191 Von Karman Avenue, Suite 500
Irvine, CA 92612-7108

Attorneys for Exxon Mobil Corporation