

**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  
ECF Case

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**This document relates to the following case:**

*City of New York v. Amerada Hess Corp., et al.*  
Case No. 04 Civ. 3417

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**DECLARATION OF NICHOLAS G. CAMPINS IN SUPPORT OF PLAINTIFF  
CITY OF NEW YORK'S OPPOSITION TO DEFENDANTS' JOINT MOTION *IN*  
*LIMINE* TO EXCLUDE EVIDENCE AND ARGUMENT REGARDING  
PLAINTIFF'S PAST AND FUTURE INVESTIGATION AND TREATMENT  
COSTS UNTIL IT PROVES ACTUAL INJURY**

Nicholas G. Campins, an attorney duly admitted *pro hac vice* to appear in this case, hereby declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff the City of New York ("the City") in the above-captioned matter. I submit this Declaration in support of Plaintiff City of New York's Opposition to Defendants' Joint Motion *in Limine* to Exclude Evidence and Argument Regarding Plaintiff's Past and Future Investigation and Treatment Costs Until It Proves Actual Injury (the "Opposition"). This declaration authenticates the exhibits attached hereto and relied on in the City's Opposition. In accordance with the Court's Individual Rules and Procedures, the exhibits have been excerpted to include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around May 26, 2009.

2. Attached as Exhibit 1 is a true and correct copy of a May 7, 2009 letter from Mr.

Peter J. Sacripanti to the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York.

3. Attached as Exhibit 2 is a true and correct copy of a May 14, 2009 letter from Mr. Victor M. Sher to the Honorable Shira A. Scheindlin, United States District Judge for the Southern District of New York.

4. Attached as Exhibit 3 is a true and correct copy of selected pages from the April 17, 2008 Deposition of James J. Roberts.

5. Attached as Exhibit 4 is a true and correct copy of selected pages from the April 22, 2009 Deposition of William A.T. Meakin.

6. Attached as Exhibit 5 is a true and correct copy of selected pages from the April 17, 2008 Deposition of James J. Roberts.

7. Attached as Exhibit 6 is a true and correct copy of selected pages from the April 22, 2009 Deposition of William A.T. Meakin.

8. Attached as Exhibit 7 is a true and correct copy of selected pages from the February 7, 2009 Expert Report of Donald K. Cohen, CPG and Marnie A. Bell, P.E.

9. Attached as Exhibit 8 is a true and correct copy of selected pages from the April 20, 2009 Second Corrected Expert Report of David B. Terry, P.G.

10. Attached as Exhibit 9 is a true and correct copy of selected pages from the Rebuttal Report of Marnie A. Bell, submitted on April 7, 2009.

11. Attached as Exhibit 10 is a true and correct copy of selected pages from the Revised Expert Report of David W. Hand, Ph.D, submitted on April 1, 2009.

12. Attached as Exhibit 11 is a true and correct copy of selected pages from the April 17, 2008 Deposition of James J. Roberts.

13. Attached as Exhibit 12 is a true and correct copy of selected pages from the February 7, 2009 Expert Report of Donald K. Cohen, CPG and Marnie A. Bell, P.E.

14. Attached as Exhibit 13 is a true and correct copy of a printout of the definition of the word “Purity” from the Dictionary.Com Unabridged Dictionary, which was retrieved on or about May 25, 2009. It was retrieved from the following website:

<http://dictionary.reference.com/browse/purity>.

15. Attached as Exhibit 14 is a true and correct copy of an internal Exxon Corporation Memorandum from J.E. Spell to J.S. Dick, regarding “Ground Water Contamination With Oxygenates” dated June 8, 1984, which has the bates number EXSPELL 00025.

On this 26th day of May 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: San Francisco, CA  
May 26, 2009

/s/ NICHOLAS G. CAMPINS  
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