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*Via Hand-Delivery and Email*

The Honorable Shira A. Scheindlin  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 1620  
New York, New York 10007-1312

Re: *In re MTBE Products Liability Litigation*, MDL 1358  
*City of New York v. Amerada Hess Corp., et al.*, Case No. 04 CV 3417  
Letter from Peter Sacripanti Concerning Commingled Product

Dear Judge Scheindlin:

I received late yesterday a copy of Mr. Sacripanti's June 4 letter to Your Honor concerning the application of "Commingled Product" liability in this case. The City would appreciate a chance to respond briefly to several points. We anticipate submitting a letter on Monday, June 8.

Respectfully submitted,

Victor M. Sher

Cc: All Counsel (via LNFS)  
Defendants' Liaison Counsel (via Email)