

MMP&S

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April 12, 2010

BY ELECTRONIC MAIL

The Hon. Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

Re: **In re MTBE Litigation, MDL 1358**
West Hempstead Water District v. AGIP Inc., et al., No. 03 CV 10052
Village of Hempstead v. AGIP Inc., et al., No. 03 CV 10055
Village of Mineola v. AGIP Inc., et al., No. 03 CV 10051
Carle Place Water District v. AGIP Inc., et al., No. 03 CV 10053
Town of Southampton v. AGIP Inc., et al., No. 03 CV 10054
Town of East Hampton v. AGIP Inc., et al., No. 03 CV 10056
Westbury Water District v. AGIP Inc., et al., No. 03 CV 10057
MMPS File No.: 0067-2910

Dear Judge Scheindlin:

This office represents Defendant Bartco Corp. ("Bartco") in connection with the above referenced matters. As you are aware, your Honor has directed Bartco to file any dispositive motions in the *West Hempstead Water District v. AGIP Inc., et al.*, No. 03 CV 10052 and *Village of Hempstead v. AGIP Inc., et al.*, No. 03 CV 10055 (the "Hempstead Actions") by April 15, 2010 (the "Motion Deadline").

Please be advised that Bartco and Plaintiffs, on April 7, 2010, reached an agreement, in principal, to settle all lawsuits commenced in Federal and State Court against Bartco concerning the alleged methyl tertiary butyl ether contamination of Long Island's drinking water (the "MTBE Litigation"). Specifically, the parties have agreed upon a monetary settlement to the MTBE Litigation and are in the process of finalizing the terms of the requisite settlement papers (the "Settlement Terms"). Accordingly, and in the interests of judicial economy, Bartco respectfully requests a thirty (30) day adjournment of the Motion Deadline so that: 1) settlement

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can be effectuated; and/or 2) in the event the parties cannot agree upon the Settlement Terms, Bartco can file the appropriate dispositive motion.

Thank you for your time and consideration in this matter.

Very truly yours,

Christopher A. Albanese

Christopher A. Albanese

CAA/nd

cc: All counsel of record via the Court's ECF System