

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**IN RE METHYL TERTIARY BUTYL
ETHER ("MTBE") PRODUCTS
LIABILITY LITIGATION**

OPINION AND ORDER

00 Civ. 1898 (SAS)

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This Document Relates to:

CITY OF NEW YORK, *et al.*,

Plaintiffs,

- against -

EXXON MOBIL CORPORATION, *et al.*,

Defendants.

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>9/13/10</u>

04 Civ. 3417 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

The Clerk of Court is hereby directed to enter the attached amended judgment.

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
 September 13, 2010

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

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This document relates to the following case:

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

AMENDED JUDGMENT

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Whereas the above-captioned action was tried by a jury, the Honorable Shira A. Scheindlin, United States District Judge, presiding, and the jury rendered a verdict on October 19, 2009 finding the defendants ExxonMobil Corporation, ExxonMobil Oil Corporation and Mobil Corporation liable to plaintiffs City of New York, the New York City Water Board and the New York City Municipal Water Finance Authority for product liability (failure to warn or insufficient warning), trespass, public nuisance, and negligence with respect to City groundwater Wells 6, 6A, 6B, 6D and 33, and not liable for product liability (design defect) and private nuisance with respect to City groundwater Wells 6, 6A, 6B, 6D and 33; and

Whereas, the Court on April 5, 2010 rendered its Opinion and Order directing the Clerk of the Court to enter a final judgment on the jury’s verdict pursuant to Rule 54(b), it is

ORDERED, ADJUDGED AND DECREED: that the plaintiffs City of New York, the New York City Water Board and the New York City Municipal Water Finance Authority recover from the defendants ExxonMobil Corporation, ExxonMobil Oil Corporation and Mobil Corporation, individually or collectively, for product liability (failure to warn or insufficient warning), trespass, public nuisance, and negligence with respect to City groundwater Wells 6, 6A, 6B, 6D and 33 the amount of \$104,690,000; plus prejudgment interest in the amount of \$4,362,561 in accordance with sections 5002 and 5004 of New York State Civil Practice Law and Rules from October 19, 2009, the date of the verdict, through April 6, 2010, the date of the judgment; plus post-judgment interest from April 6, 2010; along with allowable costs, if any.

Date: _____

Clerk of Court