

# Exhibit 8



Apr 22 2011  
6:17PM

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

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**MDL No 1358 (SAS)**

**In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

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**This Document Relates To:**

*City of Fresno v. Chevron U.S.A., Inc., et al.,*  
04 Civ. 04973

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DECLARATION OF A.J. KABERLINE

I, A.J. Kaberline, declare as follows:

1. I am an employee of ExxonMobil Global Services, a division of Exxon Mobil Corporation. I am currently employed within the FMIT-SAS-Downstream COE-Americas OTC Order Processing Department.

2. Exxon Mobil Corporation (f/k/a/ Exxon Corporation) maintained electronic records which detail gasoline deliveries to retail stations. The types of systems used over the years varied. I am familiar with the systems used by Exxon Mobil Corporation and kept in the ordinary course of business from which data relevant to this litigation has been obtained.

3. For purposes of this declaration, I understand the relevant time period to be 1986 through 2003.

4. For purposes of this declaration, the term "Site" refers to the 23 sites identified in Plaintiff's Notice.

5. I have directed the review of Exxon Mobil Corporation's SAP and historic MARS databases, and have identified the following supply arrangements:

6. Beneto Inc.

Exxon Mobil Corporation's electronic data for the relevant time period shows that Beneto Inc., which had a business and delivery address of 4076 Seaport Blvd., West Sacramento, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1993 through 1998. The dates, amounts, and description of the gasoline purchased by Beneto in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 1.

7. El Monte Gas Inc.

Exxon Mobil Corporation's electronic data for the relevant time period shows that El Monte Gas Inc., which had a business and delivery address of 10389 Avenue 416, Dinuba, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1993 through 1998. The dates, amounts, and description of the gasoline purchased by El Monte in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 2.

8. E.R. Vine & Sons Inc.

Exxon Corporation had a distributor relationship with E.R. Vine & Sons, Inc. Exxon Mobil Corporation's electronic data for the relevant time period shows that E.R. Vine & Sons, Inc., which had a business and delivery address of 2825 Railroad Avenue, Ceres, CA, purchased gasoline from Exxon Corporation from the Fresno terminal in 1987 and from 1994 through 2000. The dates, amounts, and description of the gasoline purchased by E.R. Vine & Sons in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 3.

9. Inter-City Petroleum Marketers, Inc.

Exxon Corporation had a distributor relationship with Inter-City Petroleum Marketers, Inc. (dba Red Triangle Oil Co.). Exxon Mobil Corporation's electronic data for the relevant time period shows that Inter-City Petroleum Marketers, which had a business and delivery address of 2809 S. Chestnut, Fresno, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1992 through 2000. The dates, amounts, and description of the

gasoline purchased by Inter-City Petroleum Marketers in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 4.

10. Jack Griggs Oil

Exxon Mobil Corporation's electronic data for the relevant time period shows that Jack Griggs Inc., which had a business and delivery address of 1149 S. Kaweah, Exeter, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1989 through 1990 and from 1992 through 2000. The dates, amounts, and description of the gasoline purchased by Jack Griggs in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 5.

11. John Harness Oil

Exxon Mobil Corporation's electronic data for the relevant time period shows that John Harness & Son Inc., which had a business and delivery address of 1150 El Monte Way, Dinuba, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1986 through 1988. The dates, amounts, and description of the gasoline purchased by John Harness in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 6.

12. King Currie, Inc.

Exxon Corporation had a gasoline supply relationship with King Currie, Inc. Exxon Mobil Corporation's electronic data for the relevant time period shows that King Currie, which had a business and delivery address of 3217 E. Lorena, purchased gasoline from Exxon Corporation from prior to 1989 until 1994. The dates, amounts, and description of the gasoline purchased by King Currie in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 7.

13. Nella Oil Co.

Exxon Mobil Corporation's electronic data for the relevant time period shows that Nella Oil Company, which had a business and delivery address of 2349 Rickenbacker Way, Auburn, CA, purchased gasoline from Exxon Corporation from the Fresno terminal from 1996

through 2000. The dates, amounts, and description of the gasoline purchased by Nella Oil in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 8.

14. New West Petroleum

Exxon Mobil Corporation's electronic data for the relevant time period shows that New West Petroleum purchased gasoline from Exxon Corporation from the Fresno terminal from 1995 through 1997. The dates, amounts, and description of the gasoline purchased by New West in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 9.

15. Northridge Petroleum Marketing US

Exxon Mobil Corporation's electronic data for the relevant time period shows that Northridge Petroleum Marketing US purchased gasoline from Exxon Corporation from the Fresno terminal in 1997. The dates, amounts, and description of the gasoline purchased by Northridge in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 10.

16. Robert V. Jensen Inc.

Exxon Mobil Corporation's electronic data for the relevant time period shows that Robert V. Jensen Inc., which had a business and delivery address of 4029 S. Marble Ave, Fresno, CA, purchased gasoline from Exxon Corporation from the Fresno terminal in 1999. The dates, amounts, and description of the gasoline purchased by Robert V. Jensen in Fresno during this time period are set forth in the spreadsheet attached to this Declaration as Exhibit 11.

17. The column headings contained in the attached spreadsheets have the following meanings:

SHIP_YEAR	Year of Delivery
ACCOUNT NUMBER	Identification number of customer account purchasing gasoline

NAME_DELVY_LINE_1	Name of Customer Account
NAME_DELVY_LINE_2	Street address of delivery
NAME_DELVY_LINE_3	Alternate or Further Information re: address of delivery
NAME_DELVY_LINE_4	Alternate or Further Information re: address of delivery
SHIPPING DATE	Date of delivery
DOCUMENT NUMBER	Bill of Lading number
PRODUCT	Identifying code of Product Name being delivered
PROD_NAME_29	Name of product delivered
BILLING_UNITS	Number of gallons of product invoiced to Customer per delivery
GROSS_UNITS	Number of gross gallons of product per delivery
STOCK_UNITS	Number of gallons in stock (inventory) units per delivery
PLANT_NAME	Terminal name at which product is loaded
DEALER_LOC_FLR	Identifying number of station
DEALER_LOCATION	Identifying number of station

18. I have reviewed the declaration of K.W. Gardner, which is submitted concurrently with my declaration. In his declaration, Mr. Gardner identifies the product names of Exxon gasoline that likely contained MTBE. Based on my review of the information contained in Mr. Gardner's declaration and my knowledge of the type of information contained in Exhibits 1 through 11, the highlighted deliveries contain one of the product descriptions identified in Mr. Gardner's declaration, indicating that these deliveries likely contained MTBE.

19. Other than the relationships and deliveries identified above, a review of historical and current databases has found no record of deliveries of gasoline by Exxon Corporation/Exxon Mobil Corporation to any other Site.

20. No one employec of Exxon Mobil Corporation today can provide complete responses to the request. These responses were compiled by counsel for Exxon Mobil Corporation. Based on matters that have been made known to me for the purposes of this Declaration, I state that I am informed and believed that the matters stated herein are true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 21, 2011, at Fairfax, Virginia.



A.J. Kaberline