

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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

**This document pertains to:**

*New Jersey Department of Environmental  
Protection, et al. v. Atlantic Richfield  
Company, et al.,*

Case No. 08-cv-00312

**Master File No.: 1:00-1898  
MDL 1358 (SAS)  
M21-88**

**THIRD PARTY DEFENDANT, H.P. DELTA, INC'S  
NOTICE OF MOTION FOR SUMMARY JUDGMENT**

Stuart J. Lieberman, Esq.  
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(732) 355-1311  
On behalf of the Third Party  
Defendant, H.P. Delta, Inc.

To: All Counsel of Record

**PLEASE TAKE NOTICE** that on a date and time to be determined  
by the Court, the undersigned attorneys for Third-Party Defendant, H.P.

Delta, Inc., will move the United States Court for the Southern District of New York, before the Honorable Shira A. Scheindlin, U.S. District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order granting summary judgment on behalf of Third Party Defendant, H.P. Delta, Inc.

**PLEASE TAKE FURTHER NOTICE** that Third Party Defendant, H.P. Delta, Inc., **requests oral argument if opposition is filed.**

Respectfully submitted,

Dated: December 6, 2013

/s/ Stuart J. Lieberman  
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