

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:

NJ Department of Environmental Protection, et al.

Plaintiffs

v.

Atlantic Richfield, Co., et al.

Defendants

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*Getty Properties Corp.
Defendant/Third-Party Plaintiff*

v.

*Harbans Singh; Gurmail Singh; H.P. Delta, Inc.;
Robert Melecci; Dhandi Transport, Inc.;
and John and Jane Does Nos. 1 - 100*

Third-Party Defendants

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**DECLARATION OF SUSAN M. DEAN IN SUPPORT OF DEFENDANT/THIRD-PARTY
PLAINTIFF GETTY PROPERTIES CORP.'S OPPOSITION TO
THIRD-PARTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Susan M. Dean, declare as follows:

1. I am licensed to practice law in the State of New Jersey and the Commonwealth of Pennsylvania, and am a member in good standing of both States' bars.

2. I am Of Counsel at the law firm of Rawle & Henderson LLP, counsel for Defendant/Third-Party Plaintiff, Getty Properties Corp. I make this Declaration in support of Defendant/Third-Party Plaintiff Getty Properties Corp.'s Opposition to Third-Party Defendants'

Motion for Summary Judgment. During the course of this litigation, I have been actively involved in the discovery and pretrial proceedings in this action. This Declaration is based on my personal knowledge and, if called as a witness, I could testify competently thereto.

3. Attached hereto as Exhibit 1 is a true and correct copy of the Administrative Consent Order.

4. Attached hereto as Exhibit 2 is a true and correct copy of relevant pages of the Transcript of Hearing, dated August 19, 2013.

5. Attached hereto as Exhibit 3 is a true and correct copy of relevant pages of the deposition transcript of Robert Melecci, dated November 24, 2008.

6. Attached hereto as Exhibit 4 is a true and correct copy of the February 2, 2007 Letter from Gary Pasricha to Stuart L. Lieberman.

7. Attached hereto as Exhibit 5 is a true and correct copy of relevant pages of the deposition transcript of Harbans Singh, dated December 22, 2010.

8. Attached hereto as Exhibit 6 is a true and correct copy of relevant pages of the expert report of James A. Schaefer, Jr., dated April 2, 2013.

9. Attached hereto as Exhibit 7 is a true and correct copy of relevant pages of Plaintiffs' Answer to Defendants' Request for Admissions Regarding the H.P. Delta Trial Site.

10. Attached hereto as Exhibit 8 is a true and correct copy of relevant pages of the expert report of Anthony Brown, dated January of 2013.

11. Attached hereto as Exhibit 9 is a true and correct copy of the August 18, 2006 Letter from the Township of Woodbridge to Robert Melecci.

12. Attached hereto as Exhibit 10 is a true and correct copy of relevant pages of Robert Melecci's Answer to First Amended Complaint, Counterclaim, Third Party Complaint,

Separate Defenses, Claim for Contribution, Answer to Crossclaim, Crossclaim, Request for Statement of Damages, Request for Allocation, Designation of Trial Counsel, Certification, Jury Demand.

13. Attached hereto as Exhibit 11 is a true and correct copy of the January 22, 2007 Letter from Anthony Ambrosio to Stuart Lieberman.

14. Attached hereto as Exhibit 12 is a true and correct copy of relevant pages of the deposition transcript of Robert Melecci, dated September 12, 2012.

15. Attached hereto as Exhibit 13 is a true and correct copy of the relevant pages of the deposition transcript of Gary Lipsius, dated August 2, 2012.

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

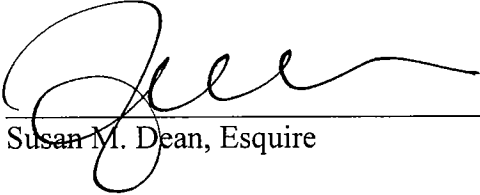
Executed on January 10, 2014, at Philadelphia, Pennsylvania.



SUSAN M. DEAN

CERTIFICATION OF SERVICE

I, Susan M. Dean, Esquire, an attorney for Defendant/Third-Party Plaintiff Getty Properties Corp. certifies that on this 10th day of January, 2014, a copy of Declaration of Susan M. Dean in Support of Defendant/Third-Party Plaintiff Getty Properties Corp.'s Opposition to Third-Party Defendants' Motion for Summary Judgment with attached Exhibits, was served upon all parties of record via LexisNexis File and Serve.



Susan M. Dean, Esquire