

**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**

**REPLY TO PLAINTIFF'S OPPOSITION TO THIRD PARTY  
DEFENDANT, H.P. DELTA, INC'S  
MOTION FOR SUMMARY JUDGMENT**

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On behalf of the Third Party  
Defendant, H.P. Delta, Inc.

Third-Party Defendant, H.P. Delta, Inc. (“H.P. Delta”), adopts by reference, relies upon, and incorporates the arguments, authorities, and evidence set forth in the brief and supporting documentation filed by Third-Party Defendant, Dhandi Transport, Inc., in its reply to Plaintiff’s opposition to Third Party Defendants’ motion for summary judgment. For the reasons set forth therein, H.P. Delta respectfully submits that summary judgment as to Defendant Getty Property Corporation’s third-party claims is appropriate as a matter of law and, respectfully, should be granted.

Respectfully submitted,

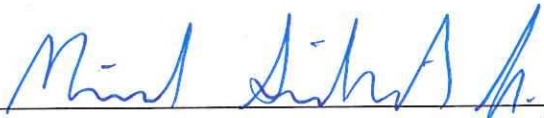
Dated: January 27, 2014

/s/ Stuart J. Lieberman  
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**CERTIFICATION OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of January, 2014, a true and accurate copy of reply brief in further support of the motion for summary judgment filed by Third Party Defendant, H.P. Delta Inc. was served on all counsel of record by the Court's CM/ECF electronic filing service.

Dated: January 27, 2014

  
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