

EXHIBIT M

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March 5, 2014

BY ELECTRONIC MAIL AND LNFS

Nathan P. Short, Esq.
Law Offices of John K. Dema, P.C.
11300 Rockville Pike, Suite 112
Rockville, MD 20852

Re: **Master File C.A. No. 1:00-1898 (SAS), M21-88, MDL No. 1358**
Commonwealth of Puerto Rico, et al. v. Shell Oil Co., et al., No. 07-CV-10470
Plaintiffs' Obligation to Comply with CMO 112 Regarding Reliance Materials

Dear Nathan:

I am writing regarding additional expert reliance materials that have not been produced to Defendants.¹

Specifically, with respect to Anthony Brown's report, please immediately produce the following:

- All CRI Corporation materials provided to Mr. Brown, including all referenced DVDs. *See, e.g.*, Brown Report, Appendix F.
- Documents referenced by Mr. Brown that are not listed in his reference list nor include in his reliance materials. *See, e.g.*, Brown Report, at 51 (referencing "AP&ES 2003").
- Supporting documents or references for unsupported facts. *See, e.g.*, Brown Report, at 68-69 (discussing Shell Canas site without reference to reliance material(s)).
- Supporting documents, references, and UST identification numbers for additional service stations referenced in Mr. Brown's report. *See, e.g.*, Brown Report, at 158-59.²

¹ Defendants have written to you on several prior occasions regarding missing reliance materials. *See, e.g.*, *Email from L. Gerson to N. Short* (Dec. 18, 2013) (regarding Dr. Rudo missing reliance document); *Email from L. Gerson to N. Short* (Jan. 27, 2014) (regarding Dr. Fogg missing native files); *Email from L. Gerson to N. Short* (Feb. 4, 2014) (regarding Dr. Fogg missing backup materials for Figures 3.5 and 3.6); *Email from L. Gerson to N. Short* (Feb. 10, 2014) (regarding Mr. Brown missing modeling files); *Letter from L. Gerson to N. Short* (Feb. 14, 2014) (regarding Brown modeling files and Cost Basis spreadsheet).

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With respect to Dr. Fogg's report, please immediately produce the following:

- Reliance materials used to generate Figure 8.1. Although the Excel file (PR-MTBE-FOGG-002913) used to generate the figure was produced, Dr. Fogg failed to reference the documents that contain the data and information used to develop the Excel file.
- Reliance materials used to generate Figure 9.2. Dr. Fogg did not produce the Excel file (or equivalent software file) used to generate the figure, and the sources of information for concentration data occurring after June 2003 were not identified or provided.
- Reliance materials supporting Dr. Fogg's mapping of 4,852 private drinking water wells (previously requested on February 4, 2014).

Thank you,



Lisa A. Gerson

cc: All counsel of record by LNFS

² Defendants' request for the production of these reliance materials should not be construed as acceptance of reference to these additional service stations by Mr. Brown. Defendants continue to object to their inclusion in his report.