

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

This document relates to:

Orange County Water District v. Unocal Corp., et al.,
No. 04. Civ. 4968 (SAS)

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MDL 1358 (SAS)
M21-88

SUGGESTION TO REMAND

On May 6, 2003, Plaintiff Orange County Water District ("OCWD") filed its Complaint against Defendants in Orange County Superior Court, alleging that Defendants were liable for MTBE and TBA in the Orange County Water District's drinking water supplies. On June 16, 2004, the Judicial Panel on Multidistrict Litigation transferred this case to this Court for coordinated and consolidated pretrial proceedings in MDL No. 1358.

The parties have completed all discovery related to the focus sites identified in Exhibit A to Case Management Order #116.

The Court hereby finds that the consolidated pretrial proceedings have run their course with respect to the claims related to the focus plume sites. The Court therefore suggests that the Panel remand to the United States District Court for the Central District of California all remaining claims as to the focus plume sites for all further proceedings, including additional pretrial and trial proceedings. Attached as Exhibit 1 is the list of the remaining claims for relief and Defendants at each focus plume site to be remanded for trial in this matter. All other claims for relief were either decided against the plaintiff or stipulated as dismissed on the terms set forth in the applicable stipulations, subject to right to appeal, so no other claims or Defendants remain

at these sites for purposes of trial after remand. As of this time this Court will retain jurisdiction over the remainder of the Action (i.e., the non-focus plume sites) in order to conduct coordinated and consolidated pretrial proceedings.

SO ORDERED:



9/29/15

The Honorable Shira A. Scheindlin

EXHIBIT 1*Orange County Water District v. Unocal
Focus Stations and Claims for Remand*

1	G&M #4 16990 Beach Boulevard, Huntington Beach	G&M Oil	Continuing Nuisance Declaratory Relief
1	Unocal #5376 8971 Warner Avenue, Huntington Beach	Union Oil	Continuing Nuisance Declaratory Relief
1	Exxon #4283 8980 Warner Avenue, Fountain Valley	Exxon Mobil Corporation	Continuing Nuisance Declaratory Relief
1	Mobil #18-G6B 9024 Warner Avenue, Fountain Valley	ExxonMobil Oil Corporation	Continuing Nuisance Declaratory Relief
1	Unocal #5399 9525 Warner Avenue, Fountain Valley	Union Oil	Continuing Nuisance Declaratory Relief
2	Mobil #18-HDR 3195 Harbor Boulevard, Costa Mesa	ExxonMobil Oil Corporation	Continuing Nuisance Declaratory Relief
2	Mobil #18-JMY 3470 Fairview Road, Costa Mesa	ExxonMobil Oil Corporation	Continuing Nuisance Declaratory Relief
8	Mobil #18-HEP 2921 South Bristol Street, Santa Ana	ExxonMobil Oil Corporation	Continuing Nuisance Declaratory Relief
8	G&M #24 3301 Bristol Street, Santa Ana	G&M Oil	Continuing Nuisance Declaratory Relief
8	Chevron #1921 3801 South Bristol Street, Santa Ana	Chevron U.S.A. Inc.	Strict Liability (Post 05/06/00 Releases) Negligence (Post 05/06/00 Releases) Permanent Nuisance (Post 05/06/00 Releases) Continuing Nuisance Declaratory Relief
9	Unocal #5123 14972 Springdale Street, Huntington Beach	Union Oil	Continuing Nuisance Declaratory Relief
9	Chevron #9-5401 5992 Westminster Boulevard, Westminster	Chevron U.S.A. Inc.	Strict Liability (Post 05/06/00 Releases) Negligence (Post 05/06/00 Releases) Permanent Nuisance (Post 05/06/00 Releases) Continuing Nuisance Declaratory Relief
9	Unocal #5226 6322 Westminster Avenue, Westminster	Union Oil ConocoPhillips Company & Tosco	Continuing Nuisance Declaratory Relief
30	Unocal #5792/ConocoPhillips #5792 4002 Ball Road, Cypress	Union Oil ConocoPhillips Company & Tosco	Continuing Nuisance Declaratory Relief
72	Chevron #9-5568 12541 Seal Beach Boulevard, Seal Beach	Chevron U.S.A. Inc.	Continuing Nuisance Declaratory Relief
92	Mobil #18-668 16230 Harbor Boulevard, Fountain Valley	ExxonMobil Oil Corporation	Continuing Nuisance Declaratory Relief