

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

NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION; THE  
COMMISSIONER OF THE NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION; and THE ADMINISTRATOR  
OF THE NEW JERSEY SPILL  
COMPENSATION FUND,

*Plaintiffs,*

v.

ATLANTIC RICHFIELD CO., et al.,

*Defendants.*

IN RE MTBE LITIGATION

MASTER FILE No. 1:00-1898

MDL No. 1358 (VSB)

Civil Action No. 08-cv-00312

**ORDER FOR FEES RELATED TO THE SETTLEMENT WITH  
DEFENDANTS BP AMERICA INC., BP AMOCO CHEMICAL COMPANY,  
BP CORPORATION NORTH AMERICA INC. (f/k/a BP AMOCO CORPORATION),  
BP PRODUCTS NORTH AMERICA INC., ATLANTIC RICHFIELD COMPANY,  
EQUILON ENTERPRISES LLC, MOTIVA ENTERPRISES LLC,  
SHELL OIL COMPANY, SHELL OIL PRODUCTS COMPANY LLC,  
AND SHELL TRADING (US) COMPANY**

**THIS MATTER** having come before the Court on application by Cohn Lifland Pearlman Herrmann & Knopf LLP ("CLPHK") (Leonard Z. Kaufmann appearing), on behalf of CLPHK and on behalf of Miller and Axline P.C., the Law Offices of John K. Dema, P.C. and Berger & Montague P.C. (collectively referred to herein as "Special Counsel"), and upon notice to and with the support of Gurbir S. Grewal, Attorney General of the State of New Jersey, upon motion of Special Counsel for approval of the attorneys' fees to be paid on the recovery resulting from the settlement with defendants BP America Inc., BP Amoco Chemical Company, BP Corporation North America Inc. (f/k/a BP Amoco Corporation), BP Products North America Inc., and Atlantic Richfield Company (collectively "BP"), and the settlement with Equilon Enterprises LLC, Motiva Enterprises LLC, Shell Oil Company, Shell Oil Products Company LLC, and Shell Trading (US)

Company (collectively “Shell”), and the Court having read and considered the papers submitted, and good cause having been shown for the making and granting of the within Order;

**IT IS** on this 15th day of May, 2018; hereby

**ORDERED** as follows:


1. Special Counsel shall be and hereby is entitled to a fee of twenty percent (20%) of the net recovery over \$2 million and up to \$250 million and fifteen percent (15%) of the net recovery in excess of \$250 million resulting from the settlement with Shell – said amount being twelve million, one hundred and fourteen thousand, four hundred and eighty dollars and eighty six cents (\$12,114,480.86), and also fifteen percent (15%) of the net recovery resulting from the settlement with BP – said amount being nine million, six hundred and fifty eight thousand, one hundred and twelve dollars and eighteen cents (\$9,658,112.18). The Court finds such fee to be reasonable and in accordance with *Rule* 1:21-7 of the Rules Governing the Courts of New Jersey and *Rule* 1.5 of the New Jersey Rules of Professional Conduct.

2. Plaintiffs shall pay said amounts to Special Counsel forthwith, specifically: twenty one million, seven hundred and seventy two thousand, five hundred and ninety three dollars and four cents (21,772,593.04).

The parties shall serve

3. A copy of the within Order ~~shall be served~~ upon the Office of the Attorney General of the State of New Jersey within five (5) days of the receipt thereof.

SO ORDERED.

  
Vernon S. Broderick <sup>5/15/2018</sup>  
United States District Judge