UNITED STATES DISTRICT COURT 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

MASTER FILE NO.: 1:00-1898

MDL No.: 1358 (VSB)

Civil Action No.: 08-00312 (VSB)

ORDER OF DISMISSAL AS TO DEFENDANT GETTY PROPERTIES CORP. ONLY

THIS MATTER, having been amicably resolved between the plaintiffs, 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 and Defendant GETTY PROPERTIES CORP. only, the matter as to GETTY PROPERTIES CORP. only shall be and hereby is dismissed with prejudice, with each side to bear its own costs.

Hon. Vernon S. Broderick United States District Judge

DATE: