

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

.....X  
**IN RE METHYL TERTIARY BUTYL ETHER :  
PRODUCTS LIABILITY LITIGATION :**

**Master File No. 1:00-1898  
MDL 1358 (VSB)**

.....X  
**This Document Relates To: :**

**STATUS REPORT**

*Orange County Water District v. Unocal  
Corporation, et al.,  
Case No. 04 Civ. 4968 (VSB)*

.....X  
**I. INTRODUCTION**

Pursuant to the Court’s April 18, 2022, Order (Doc. 525), plaintiff Orange County Water District (“OCWD”) hereby submits a Joint Status Report concerning the present state of this action.

**II. JOINT STATUS REPORT**

In 2015, a subset of defendants were remanded to the Central District of California for further proceedings and trial with respect to sixteen focus sites. (*See* Doc. 4267 [Suggestion to Remand]; Doc. 463 [JPML Separation of Claims and Conditional Remand Order].) In 2017, before trial could commence, the dismissal of the Texaco/Shell and Arco/BP defendants was overturned by the Second Circuit, and these defendants were also remanded to the Central District of California for further proceedings and trial. (Doc. 4471 [Suggestion of Remand]; Doc. 538 [JPML Separation of Claims and Conditional Remand Order].) In early 2019, OCWD settled with each of these defendants before trial was completed. (Doc. 4572.)

As of January 2022, the only defendants remaining were Valero, Tesoro, Southern Counties, Citgo and USA Gasoline. On March 23, 2022, pursuant to stipulated agreements, OCWD dismissed its remaining claims against each of these remaining defendants. (Doc. 534.)

Since all defendants have now been dismissed from the action, it is OCWD's position that this action can be dismissed in its entirety. OCWD attaches as Exhibit 1 a [Proposed] Order of Dismissal for the Court's signature.

Respectfully submitted,

Date: May 3, 2022

MILLER & AXLINE  
A Professional Corporation

By: *s/ Tracey O'Reilly*  
Tracey O'Reilly  
Attorneys for Plaintiff  
Orange County Water District

1            *In Re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation:*  
2            *Orange County Water District v. Unocal Corp., et al., Case No. 04 Civ. 4968*

3            **PROOF OF SERVICE VIA LEXISNEXIS FILE AND SERVE**

4            I am a citizen of the United States and an employee in the County of  
5            Sacramento. I am over the age of eighteen (18) years and not a party to this  
6            action. My business address is Miller & Axline, 1050 Fulton Avenue, Suite, 100,  
7            Sacramento, California 95825.

8            On the date executed below, I electronically served the document(s) via  
9            File & ServeXpress, described below, on the recipients designated on the  
10            Transaction Receipt located on the File & ServeXpress website:

11            **STATUS REPORT**

12            I declare under penalty of perjury that true and correct copies of the above  
13            document(s) were served via File & ServeXpress on May 3, 2022.

14            **/s/ Kathy Herron**  
15            **KATHY HERRON**

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