



It appearing to the Court that the within case is one of considerable public interest and may result in substantial publicity, and that there is a reasonable likelihood that dissemination by any means of public communication of extra-judicial statements relating to this case may interfere with a fair trial or otherwise prejudice the due administration of justice, on its own motion the Court makes the following order:

No party nor attorney herein nor judicial employee, nor any agent, employee, independent contractor, business associate or representative of such persons or entities, associated with this case, shall release any extra-judicial statement relating to this case, for dissemination by any means of public communication, except as follows:

- 1. Quotes from or reference without comment to public records of the Court in this case, and to other public records and communications heretofore disseminated to the public.**
- 2. The scheduling of any stage in the judicial proceeding.**

Nothing in the above exceptions is to be interpreted as allowing a comment regarding the importance of this case, how it affects other pending cases, if any, or the probable effect of this case on any other pending cases, if any, or other pending claims, if any.

This order remains in effect until the jury in this case is dismissed.

15 April 2002

Carlos Bea
Judge of the Superior Court

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Question No. 1: Was gasoline containing MTBE manufactured, sold, or supplied by any of the following defendants defective in design because the risk of harm inherent in its design outweighed the benefits of that design?

Answer "yes" or "no" after the name of each such defendant. If you answer "yes" as to any defendant, during what time period was the gasoline containing MTBE manufactured, sold, or supplied by that defendant defective in design?

	Yes	No	If yes, time period
Answer:			
11-1 Shell Oil Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fall/Winter 1990 to 12-31-97
✓ Equilon Enterprises LLC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-1-98 to Present
✓ Texaco, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1988 to 12-31-1997
11-3 Tosco Corporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	April 1992 to March 1996

If you answer "no" as to each defendant, then go to question No. 3. If you answer "yes" as to one or more defendants, then answer the next question only as to such defendants.

Question No. 2: As to each defendant for which you answered "yes" in Question No. 1, did the defect exist when the gasoline containing MTBE left the possession of such defendant?

Answer "yes" or "no" for each such defendant. If you answer "yes" as to any defendant, during what time period was the gasoline containing MTBE manufactured, sold, or supplied by that defendant defective in design?

	Yes	No	If yes, time period
Answer:			
11-1 Shell Oil Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fall/Winter 1990 to 12-31-1997
✓ Equilon Enterprises LLC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-1-1998 to Present
✓ Texaco, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1988 to 12-31-1997
11-3 Tosco Corporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	April 1992 to March 1996

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Question No. 3: Was gasoline containing MTBE manufactured, sold or supplied by any of the following defendants defective because of a failure to warn?

Answer "yes" or "no" after the name of each such defendant. If you answer "yes" as to any defendant, during what time period was the gasoline containing MTBE manufactured, sold, or supplied by that defendant defective due to a failure to warn?

	Yes	No	If yes, time period
Answer:			
12-0 Shell Oil Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fall/Winter 1990 to 12-31-1997
✓ Equilon Enterprises LLC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-1-1998 to Present
✓ Texaco, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1992 to 12-31-1997
10-2 Tosco Corporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	April 1996 to Present

Question No. 4: As to each defendant for whom you answered "yes" in Question No. 3, did the defect exist, because of a failure to warn, when the gasoline containing MTBE left the possession of such defendant?

Answer "yes" or "no" after the name of each such defendant. If you answer "yes" as to any defendant, during what time period was the gasoline containing MTBE manufactured, sold, or supplied by that defendant defective due to a failure to warn?

	Yes	No	If yes, time period
Answer:			
12-0 Shell Oil Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fall/Winter 1990 to 12-31-1997
✓ Equilon Enterprises LLC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-1-1998 to Present
✓ Texaco, Inc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1992 to 12-31-1997
10-2 Tosco Corporation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	April 1996 to Present

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Question No. 5: Were the risks involved in the transportation, storage and handling of MTBE recognized by all of Lyondell Chemical Company's (ARCO Chemical Company's) California refiner and distributor customers, who transported, stored and handled MTBE in bulk? If not, during what time period were the risks not recognized?

Answer "yes" or "no." If you answer is "no," state the time period.

	Yes	No	If no, time period
Answer:	12-0	<input checked="" type="checkbox"/>	1992 to 1996

If you answered "no" to Question No. 5, then answer Question No. 6. If you answered "yes" to Question No. 5, then answer Question No. 9.

Question No. 6: Was MTBE manufactured, sold or supplied by defendant Lyondell Chemical Company (ARCO Chemical Company) defective because of a failure to warn?

Answer "yes" or "no." If you answer "yes", during what time period was the MTBE manufactured, sold or supplied by the defendant defective due to a failure to warn?

	Yes	No	If yes, time period
Answer:	11-1	<input checked="" type="checkbox"/>	1992 to 1996

If you answered Question No. 6 "yes", answer Question No. 7. If you answered Question No. 6 "no", answer question No. 9.

Question No. 7: Did the defect exist, because of a failure to warn, when the MTBE left the possession of defendant Lyondell Chemical Company (ARCO Chemical Company)?

Answer "yes" or "no." If you answer "yes", during what time period was the MTBE manufactured, sold or supplied by the defendant defective due to a failure to warn?

	Yes	No	If yes, time period
Answer:	11-1	<input checked="" type="checkbox"/>	1992 to 1996

If you answered Question No. 7 "yes", answer Question No. 8. If you answered Question

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No. 7 "no", answer question No. 9.

Question No. 8: Were the warnings of defendant Lyondell Chemical Company (ARCO Chemical Company) to all of its customers, as described in Question No. 5, above, adequate to make those customers aware of the risks and how to avoid or reduce such risks? If not, during what time period were such warnings of Lyondell Chemical Company (ARCO Chemical Company) inadequate?

Answer "yes" or "no." If you answer "no," state the time period.

Yes	No	If no, time period
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Answer:

11-1 _____	<input checked="" type="checkbox"/>	<u>1987 to 1996</u>
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Question No. 9: If you answered "yes" to both Question No. 1 and Question No. 2 as to defendant Shell Oil Company, answer the question below. If you did not answer "yes" to both Question No. 1 and Question No. 2 as to Shell Oil Company, then go to Question No. 10.

Do you find by clear and convincing evidence that defendant Shell Oil Company acted with malice in selling gasoline containing MTBE that was defective in design because the risk of harm inherent in the design outweighed the benefits of that design?

Answer "yes" or "no". If you answer "yes," state the time period.

Yes	No	If yes, time period
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Answer:

11-1 <input checked="" type="checkbox"/>	_____	Fall/winter <u>1990 to 12-1997</u>
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Question No. 10: If you answered "yes" to both Question No. 3 and Question No. 4 as to defendant Shell Oil Company, answer the question below. If you did not answer "yes" to both Question No. 3 and Question No. 4 as to Shell Oil Company, then go to Question No. 11.

Do you find by clear and convincing evidence that defendant Shell Oil Company acted with malice in selling gasoline containing MTBE that was defective in design because of a failure to warn?

Answer "yes" or "no." If you answer "yes," state the time period.

Yes No If yes, time period

Answer: 11-1 ✓ _____ Fall/Winter 1990 to 12-1997

Question No. 11: If you answered "yes" to both Question No. 6 and Question No. 7 and "no" to both Question No. 5 and Question No. 8, answer the question below. If you did not answer "yes" to both Question No. 6 and Question No. 7 and "no" to both Question No. 5 and Question No. 8, please sign and return this form.

Do you find by clear and convincing evidence that defendant Lyondell Chemical Company (ARCO Chemical Company) acted with malice in selling MTBE that was defective in design because of a failure to warn?

Answer "yes" or "no." If you answer "yes," state the time period.

Yes No If yes, time period

Answer: 11-1 ✓ _____ 1987 to 1996

DATED: April 15, 2002

Michael S. Sawyer
JURY FOREPERSON