

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 OCT 12 AM 8:17

LORETTA G. MONTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PATRICK JOSEPH TURNER, ET AL

CIVIL ACTION
NO. 05-4206

VERSUS

CONSOLIDATED CASES

MURPHY OIL USA, INC.

SECTION "L" (2)

**ORDER GRANTING PRELIMINARY
APPROVAL OF CLASS SETTLEMENT**

Considering the motion of class counsel for preliminary approval of the proposed class settlement hearing, presented in open Court on October 10, 2006,

IT IS ORDERED that the parties' "Settlement Agreement" placed in the record on October 10, 2006, the class settlement set forth therein, and all exhibits attached to the "Settlement Agreement," be preliminarily approved by the Court as fair, reasonable and adequate, as negotiated and entered into at arms' length, in good faith, and free of collusion to the detriment of the plaintiff class, and as being within the range of possible judicial approval at a prospective Fairness Hearing;

IT IS FURTHER ORDERED that the opt-in procedure set forth in the "Settlement Agreement" in Section VIII, ¶1, p. 18, be authorized and approved, allowing certain individuals

___ Fee _____
___ Process _____
 Dktd _____
___ CtRmDep _____
___ Doc. No _____

to opt back into or rejoin the plaintiff class by December 8, 2006, in order to participate in the proposed settlement;

IT IS FURTHER ORDERED that the proposed notice to the class concerning the settlement [Attachment A] be approved;

IT IS FURTHER ORDERED that the proposed notice to individuals who have opted out of the class concerning the opt-in procedure [Attachment B], as well as the "Decision to Rejoin Class" form attached to this notice be approved;

IT IS FURTHER ORDERED that the protocol for the dissemination and publication of the notice to class members concerning settlement, as set forth in the "Settlement Agreement" at Section VII, ¶2, pp. 17-18, be approved;

IT IS FURTHER ORDERED that the protocol for dissemination of the notice to opt-outs by first-class mail to all known addresses of those individuals identified on the list attached as Exhibit I to the "Settlement Agreement," be approved;

IT IS FURTHER ORDERED that the defendant Murphy Oil USA, Inc. be granted access to all properties within the class area to effectuate the remediation program (Closure Plan) previously submitted to the Court, and now to be carried out under the "Settlement Agreement" subject to this Court's review;

IT IS FURTHER ORDERED that the prosecution of all of the "Related Actions" brought and pending against the defendant Murphy Oil USA, Inc., as defined in the "Settlement Agreement" and as identified in the list attached hereto as Attachment C, be stayed pending the settlement proceedings and further orders of the Court;

IT IS FURTHER ORDERED that the prosecution of all interventions in this consolidated

litigation be stayed pending the settlement proceedings and further orders of the Court;

IT IS FURTHER ORDERED that the defendant Murphy Oil USA, Inc. immediately request a stay of the appeal it has taken to the U.S. Fifth Circuit Court of Appeals from this Court's "set-aside" orders of March 27, 2006 (Pretrial Order No. 8) and April 7, 2006 (Pretrial Order No. 8-A);

IT IS FURTHER ORDERED that the parties have reserved all claims and defenses in this litigation, should the proposed class settlement not become final;

IT IS FURTHER ORDERED that Global Risk Solutions serve as the Court-Appointed Disbursing Agent (CADA) for purposes of the proposed settlement, responsible for disbursing payments to class members in accordance with the provisions of the "Settlement Agreement;"

IT IS FURTHER ORDERED that Bourgeois Bennett, L.L.C. be authorized to perform accounting functions on behalf of the Plaintiffs' Steering Committee (PSC) with respect to the services provided by the CADA, and that the reasonable costs incurred by Bourgeois Bennett in this regard be treated as "common benefit" costs herein, all as provided for and agreed to in the "Settlement Agreement," Section II, ¶9, pp. 6-7;

IT IS FURTHER ORDERED that a Fairness Hearing take place on the 4th day of January, 200~~6~~⁷, at 9 o'clock a.m./p.m., in order to consider comments on and objections to the "Settlement Agreement," and to approve thereafter the class settlement as fair, reasonable and adequate, pursuant to Rule 23 of the Federal Rules of Civil Procedure; and

IT IS FINALLY ORDERED that all objections to the proposed class settlement be filed and made in accordance with the "Settlement Agreement," Section VIII, ¶12-3, pp. 18-20, no later

than twenty days before the date of the Fairness Hearing, i.e., no later than the 15th day of December, 2006, or otherwise be deemed waived.

THIS DONE the 10th day of October, 2006, New Orleans, Louisiana.

A handwritten signature in black ink, appearing to read "Eldon E. Fallon", written over a horizontal line.

HONORABLE ELDON E. FALLON
United States District Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

PATRICK JOSEPH TURNER, ET. AL.	*	CIVIL ACTION NO. 05-4206
Plaintiffs	*	CONSOLIDATED CASES
	*	
VERSUS	*	SECTION "L"
	*	
MURPHY OIL USA, INC.	*	MAGISTRATE "2"
Defendant	*	

LEGAL NOTICE OF CLASS-WIDE SETTLEMENT

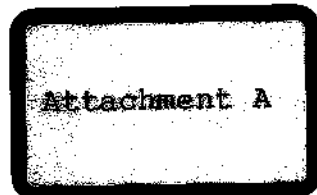
TO: ALL PEOPLE RESIDING OR OWNING PROPERTY NEAR THE MURPHY OIL USA REFINERY AND WITHIN THE CERTIFIED CLASS AREA. PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS.

The following notice, approved by the Court, is hereby given to all persons and/or entities who may have sustained injuries, loss, or damage as a result of the spill of crude oil from a storage tank located at the Murphy Oil USA, Inc. Refinery in Meraux, Louisiana, shortly following Hurricane Katrina:

I. Case Description.

Shortly following Hurricane Katrina, Murphy Oil USA, Inc. ("Murphy") notified the federal government that approximately 25, 110 barrels of crude oil escaped from a 250,000-barrel above-ground storage tank [Tank 250-2] on Murphy's property in St. Bernard Parish, Louisiana. Some of this oil traveled into the neighborhoods surrounding the refinery.

A number of class action suits were filed against Murphy after the event. In its Order and reasons certifying a class, rendered on January 30, 2006, the Court defined the class membership and geographic area as follows:



All persons and/or entities who/which have sustained injuries, loss and/or damages as a result of the September 2005 spill of crude oil and any other related substances from a storage tank located on Defendant Murphy Oil USA, Inc.'s property in Meraux, Louisiana and who/which on August 29, 2005, were residents of, or owned properties or businesses in, the following area: Beginning north from the 40 Arpent Canal with its intersection in the west of Paris Road in Chalmette, Louisiana, and traveling along Paris Road in a southerly direction to its intersection with St. Bernard Highway, then heading east from this intersection along St. Bernard Highway to Jacob Drive, then heading north along Jacob Drive (including properties on both sides of Jacob Drive) to the intersection with East Judge Perez Drive, then heading east along East Judge Perez Drive to its intersection with Mary Ann Drive, then heading north along Mary Ann Drive to the 40 Arpent Canal.

[A map setting forth the boundaries of the class is attached as Exhibit 1. A colored version of the map may be viewed at www.laed.uscourts.gov, and go to the Murphy Oil link.]

II. The Proposed Settlement.

Murphy and the class have reached a Settlement Agreement (“Agreement”), which was preliminarily approved by the Court on October 10, 2006. The class definition given above would be further refined under the Agreement, which permits certain individuals to rejoin the Class, as follows:

Upon approval of the Agreement, persons who previously opted out of this Class and who have not settled with Murphy, will be permitted to opt back in to avail themselves of the benefits provided herein. Additionally, persons who settled with Murphy and who resided, leased or own property or businesses in the “Buyout Zone” as defined in Section II of the Agreement, or who participate in the Buyout Program, will be able to opt-in to this Class and receive benefits provided herein

The “Buyout Zone” is described in subparagraph (A) of this Section. The procedure for opting back in to the Class is described in Section III., below.

Although a summary of the Settlement’s principal terms is provided in this notice, you

should examine the Settlement Agreement itself. Nothing in this notice alters the terms of the Settlement Agreement. The Settlement Agreement and related documents, all of which have been filed into the record of this matter, are accessible on the Court's website found at www.la^{ed}.uscourts.gov, through the Murphy Oil link.

Under the Settlement Agreement, the Parties have agreed to, and the Court has preliminarily approved, a "RECOVERY PROGRAM" as set forth below.

- **The total value of this settlement is currently estimated at \$330,126,000.00. This figure may be more or less depending on actual remediation costs. It is the intent of the Recovery Program to compensate Class Members for crude oil related damage only. The Recovery Program is broken down as follows:**

- A. **Buyout Program.** \$55,000,000.00 for the acquisition (inclusive of transaction costs) and remediation of properties purchased by Murphy in the Buyout Zone. The Buyout Zone is depicted in the attached map Exhibit 1, and also is defined as follows:

The area between the north side of St. Bernard Highway and the south side of the 20 Arpent Canal, on the first four streets and corresponding cross-streets (both sides) west of the Refinery, i.e., both sides of Jacob, Despaux, Ventura, and both sides of Lena, including Ohio (both sides from Lena to the Refinery); Missouri (both sides from Lena to Refinery) and East Judge Perez Drive (both sides from Lena to Refinery).

Murphy will make a good faith effort to purchase all residential and business properties located in the Buyout Zone. Murphy will make offers to purchase properties in the Buyout Zone until June

30, 2007.

After June 30, 2007, Murphy will make offers and acquire properties beyond the area described above but in the Class Area, until the \$55,000,000 is exhausted purchasing and remediating purchased properties.

- B. **Compensation Program.** All (1) residents and residential and commercial property owners in the Class Area who have not previously settled with Murphy; and (2) residents and property owners in the Buyout Zone, including those who previously settled, will receive a settlement award that is fair and equitable to all. The total amount to be distributed under the compensation program will be \$120,000,000.00, pursuant to a fair and equitable allocation subject to Court approval. Class Members in the Buyout Zone are not obliged to sell their property to participate in the Compensation Program.
1. Persons who previously opted out and who have not previously settled with Murphy, regardless of where they own property, businesses or reside in the Class Area, may opt back into the Class and participate in the Compensation Program.
 2. Persons who previously settled with Murphy will be able to opt back in to the Class and obtain benefits under this Agreement, provided they resided, owned or leased property or businesses in the Buyout Zone on August 29, 2005, or participate in the Buyout Program. These persons will be entitled to receive compensation in addition to what was previously received under

the "Past Compensation Program," defined in subparagraph D below,
pursuant Court approval of the Settlement Agreement.

Everyone who owns property or resided in the class area on August 29, 2005 will be compensated based upon a formula or evaluation. The formula or evaluation may be based upon the following non-exclusive factors:

1. The zone (either 1, 2, 3 or 4) in which your property was located and/or which you resided (as per the attached map, see Exhibit 1).
 2. The total square footage of the residential or commercial property;
 3. The number of persons that resided at the property;
 4. Commercial losses will be fairly evaluated.
- C. **Remediation Program.** \$51,862,000.00 in past remediation has been paid and an estimated (but not limited to) \$20,000,000.00 will be paid under the Recovery Program in future remediation expenses beyond the Buyout Zone but in the Class Area. The Remediation Plan shall be the Closure Plan issued by the Environmental Protection Agency (EPA) and the Louisiana Department of Environmental Quality (LDEQ). Only the Class Area will have the benefits of the Remediation Program, which will be overseen by regulatory authorities and subject to Court review.
- D. **Past Compensation Program.** The Parties acknowledge that \$83,264,000.00 in past compensation payments exclusive of remediation that benefitted the community of St. Bernard have been made by Murphy and certain other Compromising Defendants under a prior voluntary settlement program conducted

by Murphy.

- E. **Non-reversion.** All future payments under the Buyout and Compensation Programs will be spent for the benefit of Class Members.

III. Opportunity to Opt Back In to the Class.

Every Class Member will receive settlement benefits under the Agreement.

Conversely, if you remain opted out of the Class, you cannot receive any of the payments or benefits under the settlement.

Accordingly, if you previously opted out of the Class but now wish to rejoin and become a member of the Class you will be allowed to do so, provided you communicate this decision in writing by signing the attached form entitled "Decision to Rejoin Class," Exhibit 2.

This is the only form which will be recognized for the purpose of rejoining, or opting back into, the plaintiff Class in this matter. The form must be signed by you, or by an attorney acting on your behalf, and it must be e-mailed, faxed, or sent by regular mail, to both Sidney Torres, Liaison Counsel for Plaintiffs, and Kerry Miller, Liaison Counsel for Murphy. Their contact information is as follows:

Sidney D. Torres, III
Liaison Counsel for Plaintiffs
8301 W. Judge Perez Drive
Suite 303
Chalmette, LA 70043
Fax: 985/661-8914
E-Mail: storres@torres-law.com

Kerry Miller
Liaison Counsel for Murphy Oil
1100 Poydras Street
Suite 3600
New Orleans, LA 70163
Fax: 504/599-8145
E-Mail: kmiller@frilotpartridge.com

If you choose to rejoin, or opt back into, the plaintiff Class, you must communicate your decision to do so no later than Friday, December 8, 2006. In other words, the attached form, signed by you, or your attorney, must be received by this deadline of **December 8, 2006.**

Otherwise your decision to rejoin or opt back into the plaintiff Class will not be recognized in this case. **You are strongly encouraged not to delay in your decision or wait until the December 9, 2006 deadline nears. The sooner you opt back in to the Class, the sooner your claim may be processed for payment under the Class Settlement Program.**

IV. Proof of Claim Process.

In order to obtain benefits under this Agreement, each Class Member must timely complete a Proof of Claim form that is included with the mailing of this Notice. All Proof of Claim forms must be submitted by January 31, 2007. Those Class Members who do not timely file a proof of claim are not entitled to participate in any settlement affecting the Class Plaintiffs.

You may file your PROOF OF CLAIM with the Claims Center in one of two ways:

1. **In person** by visiting the Claims Center located in Chalmette at 2626 Charles Drive, Chalmette, Louisiana, 70043, or
2. **Via First Class Mail** to: Claims Center, c/o 2005 Murphy Incident, 2626 Charles Drive, Suite 206, Chalmette, Louisiana 70043.
3. **Questions with regard to completing your PROOF OF CLAIM** or other inquiries you may have concerning the 2005 Murphy Incident should be directed to the Claims Center at 504-304-6613 or you may telephone the PSC at 504-279-0823. Calls will be handled in the order received during regular operating hours from 9:00 a.m. through 5:00 p.m., Monday through Friday. Additionally, you may contact any one of the PSC members:

Mickey P. Landry
Hugh P. Lambert
Scott R. Bickford
Joseph M. Bruno
N. Madro Bandaries
William E. Bradley
Ronnie G. Penton
Robert Becnel
Walter John Leger, Jr.

Donni Elizabeth Young
Darleen M. Jacobs
E. Carroll Rogers
Salvador E. Gutierrez
Michael Hingle
Walter C. Dumas
Anthony D. Irpino
Gerald E. Meunier

COURT APPOINTED PLAINTIFFS' EXECUTIVE COMMITTEE:

Sidney D. Torres, III
Richard J. Arsenault
Daniel E. Becnel, Jr.
Val P. Exnicios
Michael G. Stag

V. Fairness Hearing and Registering Objections to the Settlement.

On October 10, 2006, the Court entered an Order granting preliminary approval to the Settlement, based on the Court's preliminary finding that the Settlement appears to have been the result of arms length bargaining, without collusion between or among the settling parties, and that it is fair, reasonable, and adequate, and is within the range of judicial approval. Before the settlement described in the Settlement Agreement will become effective, however, the Settlement Agreement and the settlement set forth in the Settlement Agreement must be finally approved by the Court, subject to certain other conditions, as a fair, reasonable and adequate compromise of the aggregate claims of the Class as a whole against Murphy.

The Court will (i) determine whether the Court should grant final approval to the Settlement Agreement, and the settlement embodied therein, between the Class of Plaintiffs and Murphy as fair, reasonable, and adequate; (ii) determine the fairness of this Settlement and the allocation formula to be used in determining payments to be made to the Settling

Class Members; (iii) determine whether the Court should grant Class Plaintiffs' Petition for attorney fees to be paid by Murphy *in addition to* the sums to be paid directly to the Settling Class Members; (iv) determine and approve the amounts for court and administrative costs, and related expenses, to be paid by Murphy *in addition to* the sums to be paid directly to the Settling Class Members; and, (iv) consider all other matters deemed appropriate by the Court.

IN ORDER TO ASSIST THE COURT IN MAKING THESE DECISIONS, THE COURT WILL HOLD A FAIRNESS HEARING ON THE 4th DAY OF January, 200~~6~~⁷, BEGINNING AT 9 o'clock A.M., AT THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA, 4th FLOOR COURTROOM OF JUDGE ELDON E. FALLON, SECTION "L", LOCATED AT 500 POYDRAS STREET, NEW ORLEANS, LOUISIANA, 70130.

IF APPROVED BY THE COURT, AND UPON THE EFFECTIVE DATE OF THE SETTLEMENT, THE SETTLEMENT WILL FOREVER RELEASE MURPHY AND OTHER COMPROMISING DEFENDANTS FROM THE CLAIMS BROUGHT IN THE CLASS ACTION. UNDER THE SETTLEMENT AGREEMENT, THE SETTLING CLASS MEMBERS WILL BE PREVENTED FROM SUING, MAKING CLAIMS AGAINST, OR RECOVERING DAMAGES FROM MURPHY IN CONNECTION WITH THE OIL SPILL WHICH OCCURRED SHORTLY AFTER HURRICANE KATRINA.

YOU HAVE THE RIGHT TO APPEAR BEFORE THE COURT TO OBJECT TO THE SETTLEMENT. IF YOU WISH TO DO SO, YOU MUST SUBMIT YOUR WRITTEN OBJECTION WITH THE COURT, IN THE MANNER DESCRIBED

BELOW, NO LATER THAN THE 20 DAYS PRIOR TO THE FAIRNESS HEARING. IF YOU FAIL TO FILE A WRITTEN OBJECTION TO THE COURT BY THAT DATE YOU WILL BE DEEMED TO HAVE WAIVED ANY AND ALL OBJECTIONS TO THE SETTLEMENT.

Any Class Member who intends to object to the fairness, reasonableness and adequacy of this Settlement Agreement must file a written objection, in person, with the Court and mail a copy to Liaison Counsel at the addresses set forth below. The filing with the Court, and the post marking of the mailing, must occur not later than 20 days before the Final Fairness Hearing, as specified in the Court's Preliminary Approval Order and Notice. Class Members making objections must set forth their full name, current address and telephone number, and provide proof of residency and/or property ownership in the Class Area as of August 29, 2005.

Objections must be served upon Murphy at the law offices of Frilot Partridge, L.C., c/o Kerry J. Miller, 1100 Poydras Street, Suite 3600, New Orleans, LA 70163 and Liaison Counsel, Sidney D. Torres, III at 8301 W. Judge Perez Drive, Suite 303, Chalmette, Louisiana 70043.

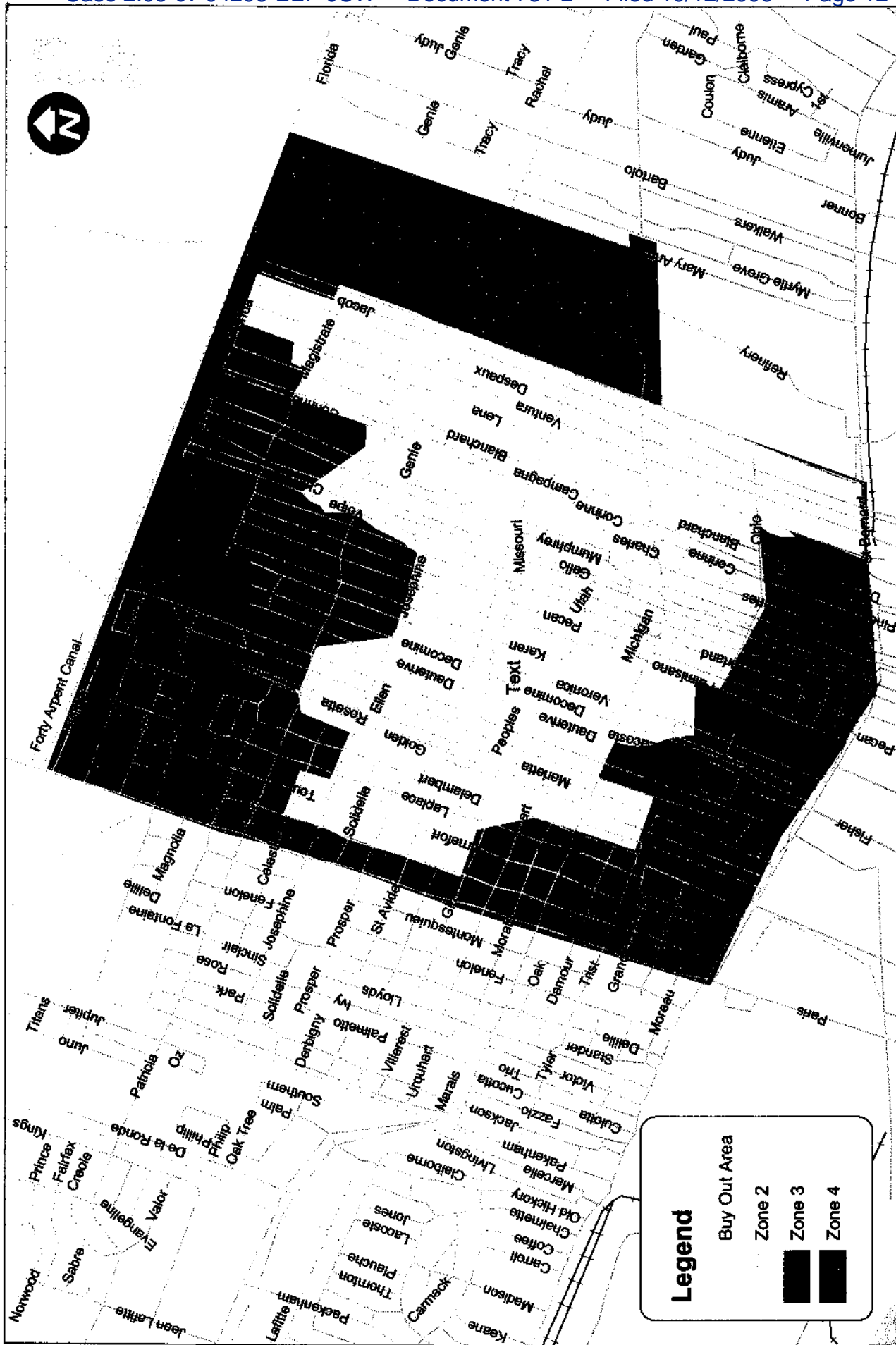
Objecting Class Members must state in writing all objections and the reasons therefor, and a statement whether the Objector intends to appear at the Fairness Hearing either with or without separate counsel. No Member of the Class shall be entitled to be heard at the Fairness Hearing (whether individually or through separate counsel), or to object to the Settlement Agreement, and no written objections or briefs submitted by any Member of the Class shall be received or considered by the Court at the Final Fairness Hearing, unless written notice of the Class Member's objection and copies of any written objections or briefs shall have been filed with the Court and served upon counsel for the Parties not later than 20 days before the date of

^{i.e. no later than December 15, 2006,}
the Fairness Hearing, as specified in the Preliminary Approval Order. All written objections or briefs shall identify any witnesses intended to be called, the subject area of the witness' testimony, and all documents to be used or offered into evidence, at the Fairness Hearing. Members of the Class who fail to file and serve timely written objections in the manner specified above shall be deemed to have waived any objections and shall be foreclosed from making any objection (whether by appeal or otherwise) to the Settlement Agreement.

The above notice is approved for publication this 10th day of October, 2006.



ELDON E. FALLON
UNITED STATES DISTRICT COURT JUDGE



2006/10/9

**CHALMETTE, LA ST BERNARD PARISH
DRAFT WORK PRODUCT**

Legend

- Buy Out Area
- Zone 2
- Zone 3
- Zone 4

CTEH

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PATRICK JOSEPH TURNER, ET AL

CIVIL ACTION
NO. 05-4206

VERSUS

CONSOLIDATED CASES

MURPHY OIL USA, INC.

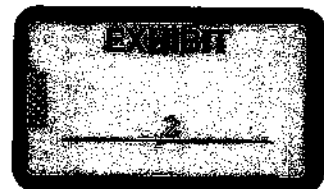
SECTION "L" (2)

DECISION TO REJOIN CLASS

I (we), the undersigned claimant(s), or attorney appearing on behalf of a claimant in connection with the case against Murphy Oil USA, Inc. ("Murphy") arising out of the late August/early September oil spill at Murphy refinery in Meraux, Louisiana, hereby declare the intention and decision to rejoin the plaintiff class which has been certified by the Court in *Turner v. Murphy Oil USA, Inc.*, C.A. No. 05-4206 (c/w others), U.S. District Court, E.D. La.

I (we) confirm that, by doing so, any previous action by me or on my behalf to opt out of the plaintiff class, is hereby revoked.

The following individuals were minor residents of my/the claimant's household at the time of the oil spill and/or I am the legal representative of the individuals listed herein and I am authorized to act on their behalf, and by this action I hereby declare the intention and decision to



revoke any prior opt-out on their behalf and to have them also rejoin the plaintiff class in this matter:

<u>Name</u>	<u>Date of Birth</u>	<u>Date of Death</u>	<u>Address at time of spill</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			

SIGNATURE
Printed Name: _____
Current Address: _____

Today's Date: _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PATRICK JOSEPH TURNER, ET AL

CIVIL ACTION
NO. 05-4206

VERSUS

CONSOLIDATED CASES

MURPHY OIL USA, INC.

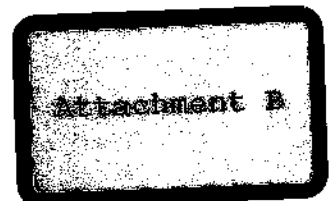
SECTION "L" (2)

**LEGAL NOTICE OF OPPORTUNITY
TO REJOIN PLAINTIFF CLASS**

**TO: ALL PEOPLE RESIDING OR OWNING PROPERTY NEAR THE MURPHY OIL
USA REFINERY, WHO PREVIOUSLY OPTED OUT OF THE PLAINTIFF
CLASS. PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT
YOUR LEGAL RIGHTS.**

By prior written notice both mailed and published in newspapers, all members of the plaintiff class certified by the Court in this case were advised of the right to not participate in the class action, by opting out of the plaintiff class. This same, prior notice also advised that all decisions to opt out of the plaintiff class needed to be communicated in writing, no later than June 1, 2006. If you are receiving this Notice, the records show that you chose to opt out of the class.

Since the passing of the opt out deadline, the Parties have proposed a class settlement.



Only class members will be to participate in this settlement, i.e.: Persons or entities who/which on August 29, 2005 were residents of or owned properties or businesses in the Class Area, as certified by the Court on January 30, 2006, and as depicted in the attached map, Exhibit I.

Because of the proposed settlement, the Court agrees to allow an opportunity for you to rejoin, or opt back into, the plaintiff class. Specifically, if a Class Member previously opted out of the Class, but did not settle with Murphy Oil USA, Inc. ("Murphy"), that Class Member may now rejoin the Class to participate in the Settlement Program. In addition, even those Class Members in an area described as the "Buyout Zone" who resided on owned property or businesses and who previously opted out and settled with Murphy, may now rejoin the Class and participate in the Settlement Program. The "Buyout Zone" is the area generally defined as the area between the north side of St. Bernard Highway and the south side of the 20 Arpent Canal, on the first four streets and corresponding cross-streets (both sides) west of the Refinery, i.e., both sides of Jacob, Despaux, Ventura, and both sides of Lena, including Ohio (both sides from Lena to the Refinery); Missouri (both sides from Lena to Refinery) and East Judge Perez Drive (both sides from Lena to Refinery). Every class member will receive settlement benefits. Conversely, if you remain opted out of the class, you cannot receive any of the payments or benefits under the settlement.

Accordingly, if you previously opted out of the class but now wish to rejoin and become a member of the class, you will be allowed to do so, provided you communicate this decision in writing by signing the attached form entitled "Decision to Rejoin Class," Exhibit II. **This is the only form which will be recognized for the purpose of rejoining, or opting back into, the plaintiff class in this matter.** The form must be signed by you, or by an attorney acting on your behalf, and it must be e-mailed, faxed, or sent by regular mail, to both Sidney Torres, Liaison

Counsel for Plaintiffs, and Kerry Miller, Liaison Counsel for Murphy. Mr. Torres' contact information is as follows:

Sidney Torres
Liaison Counsel for Plaintiffs
1290 7th Street
Slidell, Louisiana 70458
Fax: 985/661-8914
E-mail: storres@torres-law.com

Kerry Miller
Liaison Counsel for Murphy Oil
1100 Poydras Street, Suite 3600
New Orleans, LA 70163
Fax: 504/599-8145
E-mail: kmiller@fpkc.com

If you choose to rejoin, or opt back into, the plaintiff class, you must communicate your decision to do so no later than Friday, December 8, 2006. In other words, the attached form, signed by you, or your attorney, must be **received** by this deadline of **December 8, 2006.** Otherwise your decision to rejoin or opt back into the plaintiff class will not be recognized in this case. You are strongly encouraged not to delay in your decision or wait until the deadline nears. The sooner you opt back into the class, your claim will be processed for payment under the class settlement program.

If you have an individual attorney at this time, you are encouraged to consult with him or her prior to making your decision. In addition, if you have questions concerning your legal rights as a rejoining member of the class action, more information about the case is available on the Court's Web site, www.laed.uscourts.gov (follow the "Murphy Oil" link). To find out more about the class action, you also may contact any of the lawyers listed below as class counsel:

Mickey P. Landry
Hugh P. Lambert
Scott R. Bickford
Joseph M. Bruno
N. Madro Bandaries
William E. Bradley
Ronnie G. Penton
Robert Becnel
Walter John Leger, Jr.

Donnie Elizabeth Young
Darlene M. Jacobs
E. Carroll Rogers
Salvador E. Gutierrez, Jr.
Michael Hingle
Walter C. Dumas
Anthony D. Irpino
Gerald E. Meunier

The above notice is approved for mailing and publication this 10th day of October, 2006.

A handwritten signature in cursive script, reading "Eldon E. Fallon". The signature is written in black ink and is positioned above a horizontal line.

ELDON E. FALLON, UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PATRICK JOSEPH TURNER, ET AL

CIVIL ACTION
NO. 05-4206

VERSUS

CONSOLIDATED CASES

MURPHY OIL USA, INC.

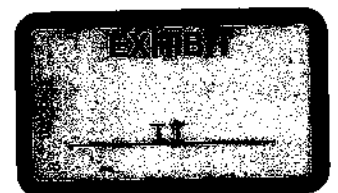
SECTION "L" (2)

DECISION TO REJOIN CLASS

I (we), the undersigned claimant(s), or attorney appearing on behalf of a claimant in connection with the case against Murphy Oil USA, Inc. ("Murphy") arising out of the late August/early September oil spill at Murphy refinery in Meraux, Louisiana, hereby declare the intention and decision to rejoin the plaintiff class which has been certified by the Court in *Turner v. Murphy Oil USA, Inc.*, C.A. No. 05-4206 (c/w others), U.S. District Court, E.D. La.

I (we) confirm that, by doing so, any previous action by me or on my behalf to opt out of the plaintiff class, is hereby revoked.

The following individuals were minor residents of my/the claimant's household at the time of the oil spill and/or I am the legal representative of the individuals listed herein and I am authorized to act on their behalf, and by this action I hereby declare the intention and decision to



revoke any prior opt-out on their behalf and to have them also rejoin the plaintiff class in this matter:

<u>Name</u>	<u>Date of Birth</u>	<u>Date of Death</u>	<u>Address at time of spill</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			

SIGNATURE

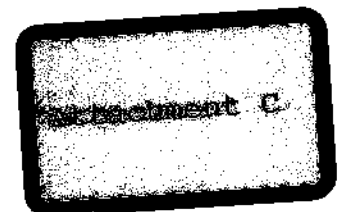
Printed Name: _____

Current Address: _____

Today's Date: _____

**P. Turner v. Murphy Oil USA, Inc.
Karina Non-Class Log**

	DATE	PLAINTIFF	ATTORNEY	DOCKET NO.
1.	09/30/05	Blaise Sauro Sandy Sauro	Phillp Bohrer	05-4427 USDC
2.	11/21/05	Bruce Betzer, Jr. Stacle Betzer Collin Betzer Averie Betzer Scott Oalman Mandy Oalman Scott Oalman, Jr. Bennett Oalman	Edward Gothard	105-510 34 th JDC
3.	11/22/05	Frank Schilleci	Matthew Moreland	05-5967 USDC
4.	02/06/06	Denis Steudlein Irwin F. Steudlein, Jr.	Paul M. Sterbow	06-0471 USDC
5.	02/06/06	Doris R. Steudlein Irwin F. Steudlein, Sr.	Paul M. Sterbow	06-0472 USDC
6.	02/06/06	Cheris Michel Alcuin Michel	Paul M. Sterbow	06-0473 USDC
7.	02/06/06	Tammy Bouvier, et al (see exh. A)	Lynn Eric Williams, Jr.	06-0557 USDC
8.	02/06/06	1615 East Judge Perez L.L.C.	George Berguiristain	06-0552 USDC
9.	02/15/06	William M. Beal Kim G. Beal Travis J. Beal Brittany D. Beal	Dwight L. Acomb	06-0717 USDC
10.	02/22/06	Ronald G. Booksh, Sr.	Peter M. Sterbcow	06-0899 USDC
11.	04/05/06	Christy Mangin, et al Kerry mangin Dominic Mangin Brooke Mangin	Kathryn Becnel	06-1765 USDC
12.	04/12/06	Kailas and Kailas, L.L.C.	George Berguiristain	06-1883 USDC
13.	05/08/06	Grant J. Pellissier, et al (see Exh. B)	Daniel E. Becnel, Jr. Darryl J. Becnel Michael Hingle	06-2429 USDC
14.	05/31/06	Sondra W. Arseneaux, et al	Darryl J. Becnel	05-2860 USDC
15.	06/19/06	Darleen Jacobs Levy	Darleen Jacobs Levy	06-3198 USDC
16.	05/25/06	Julius Cummins, et al	Joseph S. Piacun	06-2803 USDC
17.	07/12/06	Chris & Vicki Holmes	Frank R. Whiteley	(not formally filed) by letter
18.	07/07/06	Marcus Henry	Mark D. Plaisance	06-3527 USDC



	DATE	PLAINTIFF	ATTORNEY	DOCKET NO.
19.	08/01/06	Cynthia Aisola, et al (see Exh. C)	Michael G. Stag	06-4064 USDC
20.	08/03/06	Tony Gagliano, et al	Paule E. Mayeaux	106-745 34 th JDC
21.	08/24/06	Mohammad Fahimipour	Raymond A. Milly	06-4585 USDC
22.	08/25/06	Robin Acosta & Boyd Acosta	Keith Couture	06-4695 USDC
23.	08/25/06	Kathleen Terrebonne, et al Peter Terrebone Tien Tran Nuoi Han	Keith Couture	06-4696 USDC
24.	08/25/06	Chalmette Emerald, LLC and Rainbow Apparel of America, Inc.	Henry S. Provosty	06-4701 USDC
25.	08/25/06 08/28/06	Bernal L. Aguilar, et al First Supplemental & Amended Complaint	Christopher H. Sherwood	06-4830 USDC
26.	08/28/06	Anita Kleyle, et al	Sidney D. Torres, III Roberta L. Burns Gerald E. Meunier Gilbert V. Andry, III Jerald N. Andry, Jr. N. Madro Bandaries Dawn M. Barrios Bruce S. Kingsdorf Daniel E. Becnel, Jr. Daniel E. Becnel, III Meghan F. Becnel Robert M. Becnel William E. Bradley Joseph M. Bruno Gordon R. Crawford Rebecca a. Cunrad Walter C. Dumas Val P. Exnicios Mark Philip Glago Waldon Michael Hingle Anthony D. Irpino Darleen Marie Jacobs Mickey P. Landry Frank J. Swarr David R. Cannell Walter John Leger, Jr. Christine L. DeSue Ethel Carroll Rogers	
27.	08/28/06	Joseph Geeck Eileen Geeck Rosalie Geeck	Gilbert V. Andry, IV	06-5045 USDC

	DATE	PLAINTIFF	ATTORNEY	DOCKET NO.
28.	08/29/06	James & Elizabeth Fontenelle	Christine L. Desue	06-5316 USDC
29.	08/29/06	Kenneth & Brenda Pipitone	Christine L. Desue	06-5244 USDC
30.	08/23/06	Daryl James Grush, et al	Les A. Martin	06-4550 USDC
31.	08/23/06	Cindy Crocker, et al	Val P. Exnicios	06-5055 USDC
32.	08/24/06	William Bell, et al	Jonathan B. Andry	06-4626 USDC
33.	08/24/06	Eugene Bischoff, Jr., et al	Johathan B. Andry	06-4627 USDC
34.	08/23/06	Clinton Deharde, et al	George B. Recile	06-4930 USDC
35.	08/29/06	Gulf Coast Bank & Trust Co.	Jack A. Ricci	06-5430 USDC
36.	08/14/06	Audra Eilers	Bryan C. Shartle	106-869 34 th JDC
37.	08/14/06	Patrick Shartle Christine Shartle	Bryan C. Shartle	106-870 34 th JDC
38.	08/10/06	John R. Doucet, et al	Gary J. Ortego	106-818 34 th JDC
39.	08/11/06	Anthony Almerico, et al	F. Gerald Maples	106-848 34 th JDC
40.	08/24/06	Anthony J. Mendoza, Jr., et al	Jesse L. Wimberly, III	06-4606 USDC
41.	08/24/06	Dora Swammer Mumphrey Charles Joseph Mumphrey	Jesse L. Wimberly, III	06-4606 USDC
42.	08/22/06	Anthony Arbon, et al	Salvador E. Gutierrez, Jr.	06-4521 USDC
43.	08/29/06	Splash Land Corp.	Michael G. Gaffney	06-5305 USDC
44.	08/29/06	Mary Alic Luthjens Joseph Barreca	Micheal G. Gaffney	06-5309 USDC
45.	08/28/06	Cheryl Couture, et al Norman Couture Michael Couture Alphonso & Associates LLC Gwendolyn Alphonso Leonard Alphonso	Keith Couture	06-5040 USDC
46.	08/29/06	Katherine Nye, et al Francis Lawrence Gerald Lawrence Estate of Theima Waguespack Kenneth Reichert Lynn Reichert Estate of Richard Richard Christine Martin	Keith Couture	06-5039 USDC

	DATE	PLAINTIFF	ATTORNEY	DOCKET NO.
47.	08/29/06	Bryant Bell	G. Karl Bernard	06-10629 CDC
48.	08/24/06	Andrew J. Marshall, Jr. Andrew J. Marshall, III Jane R. Marshall Estate of Dorothy Roper John Roper	F. Gerald Maples	107-113 34 th JDC
49.	08/29/06	Fred DeFrancesch, Jr.	Fred DeFrancesch	107-086 34 th JDC
50.	08/24/06	Estate of Anthony P. Mumphrey Claude S. Mumphrey Caludia Mumphrey Boackie Linda B. Mumphrey	F. Gerald Maples	107-111 34 th JDC
51.	08/25/06	Donald J. Colletti, Jr.	Wayne B. Mumphrey	107-197 34 th JDC
52.	08/25/06	Todd M. Hiers	Gerald J. Calogero	107-218 34 th JDC
53.	08/24/06	The Roman Catholic Church	Richard A. Bordelon	06-4677 USDC
54.	08/26/06	Dr. Raul Diaz, et al	Hugh P. Lambert	06-5089 USDC
55.	08/28/06	Warren Bodelon	Richard J. Richthofen, Jr.	107-542 34 th JDC
56.	08/28/06	Ron Spori Sandra Spori Ron Spori Performance, Inc. Ron Spori Racing, Inc.	Michael J. Phillips	107-327 34 th JDC
57.	08/28/06	William Robert Young	Richard A. Tony	107-391 34 th JDC
58.	08/28/06	William Michael Young	Richard A. Tony	107-392 34 th JDC
59.	08/28/06	Carlos A. Zelaya, II Kandace A. Zelaya Alexander P. Zelaya Isabelle V. Zelaya J. Wayne & Victoria Mumphrey Estate of Joel Alice Mumphrey	F. Gerald Maples	107-476 34 th JDC
60.	08/28/06	Lenny & Paula Alvarez, et al	Richard A. Tony	107-387 34 th JDC
61.	08/28/06	Dorothy Frey Estate of John Arthur Frey	Alan G. Bouterie	107-363 34 th JDC
62.	08/28/06	Chastity Desing	B. Gerald Weeks	107-323 34 th JDC
63.	08/28/06	Ada M. Johnson	B. Gerald Weeks	107-324, 34 th JDC

	DATE	PLAINTIFF	ATTORNEY	DOCKET NO.
64.	08/28/06	Natalie Cormier, et al	Christopher H. Sherwood	107-569 34 th JDC
65.	08/28/06	Mustachia's Professional Lawn Maintenance, Inc.	Mark D. Higdon	107-403 34 th JDC
66.	08/28/06	Richard Helmke Tammy Helmke Brandon Helmke	James B. Guest	107-320 34 th JDC
67.	08/03/06	Tony Gagliano, Jerlene Vallelungo Joseph Vallelungo	Paul E. Mayeaux	106-745 34 th JDC
68.	8/18/06	Gale Huerstel William Huerstel (served Greg Neve)	David V. Batt	106-936 34 th JDC
69.	8/18/06	Dianne Glaser Robert Glaser (served Greg Neve)	David V. Batt	106-937 34 th JDC
70.	8/18/06	Darlene LeJeune Sidney LeJeune (served Greg Neve)	David V. Batt	106-938 34 th JDC
71.	8/18/06	Gayle Bache Robert Bache Denise Callahan (served Greg Neve)	David V. Batt	106-939 34 th JDC
72.	8/18/06	Gwen Johnson Ronald Johnson (served Greg Neve)	David V. Batt	106-940 34 th JDC
73.	8/18/06	Charlotte Stretzinger William Stretzinger (served Greg Neve)	David V. Batt	106-941 34 th JDC
74.	8/18/06	Julie Marengo Dana Britt Marengo (served Greg Neve)	David V. Batt	106-942 34 th JDC
75.	8/18/06	Cynthia Ferrara (served Greg Neve)	David V. Batt	106-943 34 th JDC
76.	8/18/06	Byrnes Aleman (served Greg Neve)	David V. Batt	106-944 34 th JDC
77.	8/18/06	Sandra Breaux Truin Breaux (served Greg Neve)	David V. Batt	106-945 34 th JDC
78.	8/18/06	Theresa Landry (served Greg Neve)	David V. Batt	106-946 34 th JDC
79.	8/18/06	Karen Kattengell (served Greg Neve)	David V. Batt	106-947 34 th JDC
80.	8/18/06	Lisa Blappert Garrity Wayne Garrity (served Greg Neve)	David V. Batt	106-948 34 th JDC
81.	8/30/06	Jan Clomburg Alan Clomburg	David V. Batt	106-949 34 th JDC
82.	8/18/06	Greg Chase (served Greg Neve)	David V. Batt	106-950 34 th JDC
83.	08/29/06	Salvador Siragusa, Jr., et al	Lance V. Licciardi	107-771 34 th JDC

Exhibit A

Bouvier, et al
#7 Non-Class / #31 Overall

1.	Tammy Brian	Joseph Bouvier	Bouvier Bouvier	2501 Ventura Drive	Chalmette	LA	70043
2.	Bernard	G.	Boltmann	402 E. Josephine	Chalmette	LA	70043
3.	(estate) Anthony	John	Carbone, Jr.	2501 Mary Ann Drive, Lot 50C	Mereaux	LA	70075
4.	John	J.	Cangelosi	324 1/2 Friscoville Ave.	Arabi	LA	70032
5.	Heidi	Stroebel	Chappuis	405 Secluded Grove Loop	Madisonville	LA	70447
* (18.)	(business)	Clair	Choppfield	3012 A, Jean Lafitte Parkway	Chalmette	LA	70043
6.	Ronald	Taylor	Cuccia	2801 Acorn Drive	Violet	LA	70092
7.	Dawn		Cuccia	3508 Ventura Drive	Chalmette	LA	70043
8.	Bridget	A.	Derbyshire	2305 Munster Blvd.	Mereaux	LA	70075
	Debra	Ann	Derbyshire				
	Robert	C.	Derbyshire				
	Carol	L.	Derbyshire				
9.	Carol	L.	Eilers	2301 Pelliere	Chalmette	LA	70043
	Caroline	Elizabeth	McInnis				
	Brett	C. John	McInnis				
	Eric	C.	Eilers				
10.	Sean		Glass	3817 Lena Drive	Chalmette	LA	70043
	Keleey		Glass				
	Paige		Glass				
11.	Tonya		Jackson	3204 Oak Drive	Violet	LA	70092
	Kevin		Jackson				
	Shawn		Sherman				
	Shawna		Sherman				
(rental)	Tonya		Jackson	2901 Acorn Drive	Violet	LA	70092
(rental)	Kevin		Jackson	2901 Acorn Drive	Violet	LA	70092
12.	Harold		McCloskey	3209 Palmisano Blvd.	Chalmette	LA	70043
	Susan		McCloskey				
13.	Diane		Ourso	2308 Munster Blvd.	Mereaux	LA	70075
	Herbert		Ourso				
14.	Carmelo	F.	Pagano	10 Jo Ann Court	Violet	LA	70092
	Elodi	J.	Pagano				
15.	Chad	J.	Perez	9009 Amour Drive	Chalmette	LA	70043
	Robert		Snow	9011 Armour Drive	Chalmette	LA	70043
16.	Robert		Snow, Jr.	3424 Campagna	Chalmette	LA	70043
	Erin		Snow				
	Charles		Snow				
	Sidney		Snow				

(already listed as Clair Chopfield above)
 (already listed as Clair Chopfield above)

Exhibit A

17.	David Devin Timothy Penny	Snow Michael Snow Snow Snow	2913 Pecan Drive	Chalmette	LA	70043
18.	Craig Courtney J. Courtney J.	Stroebel Stroebel, Jr. Stroebel, Sr.	3012 A, Jean Lafitte Parkway 3012 A, Jean Lafitte Parkway 3012 A, Jean Lafitte Parkway	Chalmette Chalmette Chalmette	LA LA LA	70043 70043 70043
19.	(rental)		3012 B 3012 C 3012 D	Chalmette Chalmette Chalmette	LA LA LA	70043 70043 70043
20.			3014 A 3014 B 3014 C 3014 D 3014 E	Chalmette Chalmette Chalmette Chalmette Chalmette	LA LA LA LA LA	70043 70043 70043 70043 70043
21.	Patrick	Thompson	1205 Magistrate St.	Chalmette	LA	70043
22.	(rental)		3509 Decomine Drive	Chalmette	LA	70043
	Josephine	Thompson				

(listed above as Chappius)
(listed above as Chappius)
(listed above as Chappius)

Exhibit B

Pellissier, et al
#13 Non-Class / #37 Overall

1.	Grant	J. Pellissier	Gary	McKee, St.	55.	Galdys	Wilson
2.	Robert	J. Clark	Shirley	R. Legaspi	56.	Daniel	L. Mason
3.	Robert	J. Clark, III	Gwendolyn	E. Ward	57.	Denis	A. Mason
4.	Marion	A. Wright	Iris	C. Lewis	58.	Harold	Hansford
5.	Elwood	L. Ingram	Darlene	A. Topham	59.	Lola	Bryant
6.	Gwendolyn	G. Veal	Reginald	D. Ward	60.	Ykisha	A. Bessie
7.	Mary	A. Mrest	Jessica	R. Daniels	61.	Debra	Manuel
8.	Claunette	H. Esposito	Sharon	M. Fields	62.	Donald	Dierra, Jr.
9.	Aldolph	Tinson	Melissa	Lewis	63.	Ronald	May
10.	Cathrine	Manino	Alonzo	Peters	64.	Joseph	Alexander
11.	Phillip	Gurganus, Jr.	Akeshia	M. Baker	65.	Patrick	Lodriguss
12.	John	L. Wright	Wendell	Francis	66.	Frank	Deal
13.	Dominque	Schexnayder	James	Raphael	67.	Isaac	Craft
14.	Patricia	A. Sylvester	Austin	E. Madison	68.	Jenise	M. Williams
15.	Cashanda	A. Butler	Roger	Brock	69.	Michael	Turner
16.	Gwendolyn	Morris	Kevin	A. Landry	70.	Walter	L. Logan, Jr.
17.	Sebastian	Dantagnan	Isis	B. Miller	71.	Gwendolyn	Hill
18.	Quandra	K. Harvey	Lemnica	D. Adams	72.	Norman	Morales
19.	Dionne	M. Sylvester	Gail	M. Williams	73.	Riffany	Wagner
20.	Teryl	Cargo	Carol	Otero	74.	Michael	Sexton
21.	Gary	McKee	Chelise	LeBainc	75.	Thomas	Gigilo
22.	Grancis	Brousse	Joshua	Gleason	76.	Dora	Williams
23.	Thomas	J. Griffin	Daniel	M. McTeigue	77.	Felicia	Sexton
24.	Collins	J. Duet	Mark	A. Trentecosta	78.	Samuel	Scarlett, Sr.
25.	Anthony	J. Huy	Vena	J. Mixon	79.	Alois	Williams, Jr.
26.	Paul	A. Chisesi	Melissa	A. Scott			
27.	Nneka	N. Harvey	Lorraine	G. Butler			

Exhibit C

		<u>Address</u>	<u>City</u>
83.	Lisa	2925 Daniel Drive	Violet
84.	Henrietta	2104 Myrtle Grove Drive	Meraux
85.	Milton	301 Plantation Drive, Apt. 211	Chalmette
86.	Emvia	1024 Angela, Apt. 206	Arabi
87.	Romeo	2439 Daniel Drive	Violet
88.	Lisa	209 Deleronda Drive, Apt. D	Chalmette
89.	Beverly	2327 Liccardi Lane	Violet
90.	Keve'n	313 Chincilla Drive	Arabi
91.	Yolandia	3308 Stacie Drive	Violet
92.	Kristi	3013 Meraux Lane	Violet
93.	Ricky	1822 Goodwill Drive	Violet
94.	Tracy	2300 Liccardi Lane	Violet
95.	Adrian	1625 Heights Drive	St. Bernard
96.	Reynetta	209 Deleronda Drive, Apt. C	Chalmette
97.	Corfina	3623 Shagri La Drive	Chalmette
98.	Elsie	3516 Kings Drive	Chalmette
99.	James	3516 1/2 Kings Drive	Chalmette
100.	Donna	3216 Tara Drive	Violet
101.	Tamike	3323 Stacie Drive	Violet
102.	Janice	5613 St. Matthews Circle	Violet
103.	Patrick	213 Delronde Drive, Apt. A	Chalmette
104.	Patrice	2500 Jamie Court	Violet
105.	Michael	2817 Maureen Lane	Meraux
106.	Tashara	3221 Stacie Drive	Violet
107.	Frederick	2328 Caluda Allen Lane	Violet
108.	Arthur	2824 Stacie Drive	Violet
109.	Desmond	2501 Cora Anne Street	Violet
110.	Gilda	2909 Daniel Drive	Violet
111.	Anreiae	2821 Guerra Drive	Violet
112.	Bianca	3204 Angelique Drive	Violet
113.	Mary	2204 Bartolo Drive	Meraux
114.	Sharonne	6424 Fourth Street	Violet
115.	Cornell	2520 Walkers Lane	Meraux