



JON S. CORZINE  
*Governor*

*State of New Jersey*  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF LAW  
25 MARKET STREET  
PO Box 112  
TRENTON, NJ 08625-0112

ZULIMA V. FARBER  
*Attorney General*

June 2, 2006

By E-Mail and First-Class Mail

Ralph J. Lancaster, Jr., Esq.  
Pierce Atwood  
One Monument Square  
Portland, Maine 04101

Re: New Jersey v. Delaware, No. 134, Original  
Progress Report

Dear Mr. Lancaster:

Pursuant to the Case Management Plan, New Jersey respectfully submits this Progress Report. Since the case management conference of May 5, 2006, New Jersey has done the following:

1. Filed its Reply Brief and Appendix in support of its Motion to strike Delaware's Issues of Fact 1, 2, 6, 8, and 9 and to Preclude Discovery on these Issues, on May 22, 2006;
2. Filed its Letter Brief and Declarations of Gerard Burke, Assistant Attorney General and William Andersen, Deputy Attorney General, to address the common interest and work product privileges asserted by BP America, Inc. and its affiliates in response to subpoenas issued by Delaware, on May 17, 2006;
3. Served on Delaware New Jersey's First Set of Interrogatories and First Request for Production of Documents, on May 31, 2006; and
4. Continued its additional research in support of New Jersey's position in this case.



We look forward to speaking with you at the case management conference on June 7, 2006, and to oral argument on New Jersey's Motion to Strike following the conference.

Sincerely yours,

ZULIMA V. FARBER  
ATTORNEY GENERAL OF NEW JERSEY

By: *Rachel Horowitz*  
Rachel Horowitz  
Deputy Attorney General

c: David Frederick, Esq. (e-mail and first-class mail, 3 copies)  
C.J. Seitz, Esq. (e-mail and first-class mail, 2 copies)