

RECEIVED MAR 09 1982
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff

v.

HOOKEER CHEMICALS AND PLASTICS
CORPORATION, et al.,
(Hyde Park Landfill)

Civ- 79-989C

Defendants

SIR: Take notice of an ORDER, ~~XXXXXXXXXX~~ of which
the within is a copy, duly granted in the within entitled action
on the 4th day of March, 1982, and entered in the
Office of the Clerk of the United States District Court, Western
District of New York, on the 5th, day of March, 1982.

Dated: Buffalo, New York

March 5, 1982

JOHN K. ADAMS, Clerk
U.S. District Court
U.S. Courthouse
Buffalo, New York 14202

Jack S. Penca, Esq.
TO: Robert Abrams, Esq.
Grossman, Levine & Civiletti
Barbara Morrison, Esq.
Steven Shapiro, Esq.
Richard Lippes, Esq.
Lewis Steele, Esq.
Toby Vigood, Esq.
Thomas Truitt, Esq.
Louis Nizer, Esq.
David K. Floyd, Esq.
Robert Paul Merino, Esq.
Edward P. Jesella, Esq.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CIV-79-989C

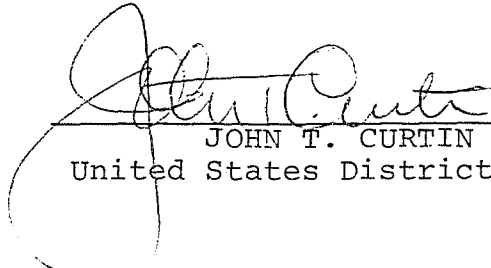
HOOKEr CHEMICALS AND PLASTICS CORPORATION,
HOOKEr CHEMICAL CORPORATION, OCCIDENTAL
PETROLEUM INVESTMENT CORPORATION, and
OCCIDENTAL PETROLEUM CORPORATION (Hyde
Park Landfill),

Defendants.

Amici have requested an opportunity to respond to the Geological Survey by Morris L. Maslia and Richard H. Johnston entitled Simulation of Ground-Water Flow in the Vicinity of Hyde Park Landfill, Niagara Falls, New York, which was filed with the court on February 24, 1982. The court shall grant this request.

Accordingly, amici shall file responsive papers on or before March 12, 1982.

So ordered.


JOHN T. CURTIN
United States District Judge

Dated: March 4, 1982

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CIV-79-989

HOOKEER CHEMICALS AND PLASTICS CORPORATION,
HOOKEER CHEMICAL CORPORATION, OCCIDENTAL
PETROLEUM INVESTMENT CORPORATION, and
OCCIDENTAL PETROLEUM CORPORATION (HYDE
PARK LANDFILL),

Defendants.

In accordance with my order of August 7, 1981, a hearing shall be set for September 9 and 10, 1981, to begin on September 9 at 10 a.m.

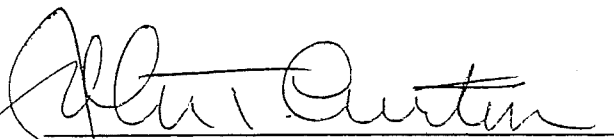
The court has had two conference calls with a number of the attorneys in this case to discuss the logistics of the hearing. ¹ At the direction of the court, the parties and amici will submit what papers they believe should be before the court in preparation for the hearing. These papers shall be received by the parties and the court by September 4, 1981.

Furthermore, the parties and the amici will provide the names of all witnesses to one another and to the court, their resumes, and a brief statement of their likely testimony. In addition, counsel for Hooker and amici shall meet to discuss the witness lists as well as, if possible, the more substantive issues which may be before the court at the hearing.

There is a final matter which must be addressed before the hearing. The court has had under submission two

motions to intervene. Because of the difficult legal problems posed by these motions and the press of other business, the court will not be able to resolve these matters prior to the September hearing. In order to preserve the rights of the applicants for intervention, they shall have leave to participate in those hearings to the same extent as amici.

So ordered.



JOHN T. CURTIN
United States District Judge

Dated: August 12, 1981

FOOTNOTE

1

The court contacted attorneys David Floyd for defendants, Jack Penca for plaintiff United States, Lorelei Borland for plaintiff State of New York, and Barbara Morrison for amici. Although the court regrets not being able to include counsel for all of the many parties in the conference calls, the need to proceed with expedition prompted the court's acting in this fashion. Moreover, the court is satisfied that the interests of all parties were adequately represented and safeguarded in these discussions concerning the logistics of the hearing.