

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 EXXON CORPORATION, *et al.*,)
)
 Defendants.)

No. 3:91-cv-0082-HRH

ORDER

Case Status

The court is in receipt of the October 15, 2014, status reports¹ of the United States and the State of Alaska with respect to a possible “re-opener” claim pursuant to the agreement and consent decree entered in this case on October 9, 1991.²

Included on the certificate of service for the recent joint status report is attorney James F. Neal. Sadly, Mr. Neal passed away in 2010, four years after the re-opener proceedings commenced. Now, in October 2014, Senior Assistant Attorney General John Treptow has passed away. But this case lives on, appearing to have progressed very little during this year.

The court understands that the Trustees are proceeding, if slowly, with their restoration plan – which, in approximately eight years, has apparently reached the fourth of six phases. Bluntly, the court does not understand why the Trustees are some eight years into their evaluation process without reaching some point of finality on whether there are or are not unknown injuries to the environment which might be the subject of the re-

¹Docket No. 434 in this case.

²Docket Nos. 46 and 47.

opener provision of the consent decree. Perhaps in a further report the United States can provide the court with a better understanding of where the parties are in resolving a possible re-opener claim.

A further status report shall be filed on or before March 16, 2015.

DATED at Anchorage, Alaska, this 3rd day of November, 2014.

/s/ H. Russel Holland
United States District Judge