

STATE OF MAINE
KENNEBEC, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-77-612

STATE OF MAINE,

Plaintiff

v.

CITIES SERVICE OIL COMPANY,

Defendant

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CONSENT DECREE

1980

Plaintiff State of Maine (the "State") having commenced this action by filing its complaint dated September 21, 1977 and Defendant Cities Service Oil Company, per certificate of ownership and merger effective December 29, 1978 merged into Cities Service Company ("Cities"), having filed an answer dated November 1, 1977, and Cities and the State having agreed on January 2, 1980 to:

- (1) the making and entering of this Consent Decree, without admission by either party in respect to any issue or any fact, and without this Consent Decree's constituting any evidence of admission by either party hereto with respect to any issue or any fact in this or any other action, past, present or future, involving Cities, and
- (2) the agreement by the State to relinquish any and all claims of whatever nature based on the acts set out in the State's Complaint in this action in consideration of Cities' payment to the State of the sum of Fifteen Thousand Dollars (\$15,000.00);

NOW, THEREFORE, before any discovery or testimony has been taken in this action, without trial or adjudication of any issue or fact herein, and upon the consent of the parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED that final judgment be entered herein as follows:

- (1) this Court finds that it has jurisdiction over the subject matter of this action and the parties hereto;
- (2) all information gathered by the State during its investigation of the matters alleged in the State's Complaint shall be treated as confidential pursuant to 5 M.R.S.A. §200-D;
- (3) within ten (10) days after entry of this Consent Decree, Cities shall pay to the State the sum of Fifteen Thousand Dollars (\$15,000.00) in full and final settlement of all claims made by the State in this action and the State shall deliver to Cities a duly executed release of said claims in a form mutually agreeable to the State and Cities;
- (4) the settlement amount described in paragraph (3) of this Consent Decree is not to revert to the General Fund of the State of Maine, but is to be held by the Attorney General in trust for the benefit of the consumers of the State of Maine and shall be used exclusively for such consumer education programs as the Attorney General in his or her sole discretion from time to time shall direct; and
- (5) the Court shall retain jurisdiction of this action for ten (10) days solely for the purpose of assuring compliance by Cities and the State with the provisions of paragraph (3) of this Consent Decree.

DATED: February 29, 1980

H.T. Sibley, Jr.
Justice, Superior Court

The State of Maine and Cities Service Company, by their undersigned attorneys, with knowledge of the terms of the above Consent Decree, hereby agree to those terms and to the entry of final judgment as set forth in this Consent Decree.

A TRUE COPY:
ATTEST
Pearl Valerie Page
P. VALERIE PAGE
CLERK OF COURTS

STATE OF MAINE

By Thomas L. Harrington
Its Attorney General

CITIES SERVICE COMPANY

By [Signature]
Its Attorney

REC'D AND FILED

FEB 29 1980

P. VALERIE PAGE