

March 6, 2006

ExxonMobil
Attn: General Counsel's Office
5959 Las Colinas Boulevard
Irving, Texas 75039-2298

Dear General Counsel of ExxonMobil:

The Project On Government Oversight (POGO) is overhauling and renewing its Federal Contractor Misconduct Database (www.pogo.org/db/index.cfm), a compilation of information from public resources regarding government contractors, including ExxonMobil. I have enclosed the findings relevant to ExxonMobil and am requesting verification or refutation of the data from you by March 17, 2006.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to ExxonMobil, please be assured that any response received by POGO will be posted on the website along with the data.

Changes to the database include: the addition of more current instances, removal of Superfund cleanup costs, and removal of information that could not be verified with official documents. Additionally, pending cases will still be included, but this information will be kept separate from the resolved cases and will not be included in any totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Kevin L. Phelps
Project Director

Enclosure

Instances

1.

Santa Clara Oil Spill

Date: 09/24/2002 (date of settlement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Civil

Amount: \$4,700,000

Disposition: Settlement

Synopsis: "The U.S. Department of Justice, together with the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency and the California Department of Fish and Game,...announced a settlement under which ExxonMobil Oil Corporation [paid] the United States and the state of California \$4.7 million in compensation for a spill of crude oil from a pipeline operated by the former Mobil Oil Company."

Document(s):

1. DOJ Press Release
2. EPA Press Release
3. Consent Decree

2.

Exxon Dealers Class Action

Date: 12/19/2005 (date of settlement)

Misconduct Type: Non-governmental Contract Fraud

Contracting Party: Non-Governmental

Court Type: Civil

Amount: \$1,075,000,000

Disposition: Settlement

Synopsis: "In 1991, a group of current and former Exxon direct served dealers filed a lawsuit against Exxon. The dealers alleged that Exxon had been overcharging all of its direct served dealers for the wholesale price of motor fuel since March 1983. The dealers filed the claim as a class action, meaning that it was on behalf of all dealers who were parties to one or more Sales Agreements with Exxon and who purchased motor fuel directly from Exxon (direct served dealers) between March 1983 and August 1994."

"The claim relates to Exxon's Discount for Cash (DFC) program, which Exxon implemented in August 1982. Under this program, Exxon began charging dealers a separate 3% fee for processing credit transactions. Exxon said, however, that it would reduce the wholesale price of motor fuel by an amount that, on average, would offset the fee. In the lawsuit, the dealers alleged that Exxon collected the fee, but failed to reduce the wholesale price of motor fuel."

"On December 19, 2005, Exxon and Class counsel entered into a settlement agreement pursuant to which Exxon has agreed to pay \$1,075,000,000 (\$1.075 billion) in settlement of all claims and issues in the case."

Document(s):

1. Notice of Preliminary Settlement Approval

3.

Oil Royalties

Date: 01/08/2001 (date of settlement)

Misconduct Type: Government Contract Fraud

Contracting Party: Government Civilian

Court Type: Civil

Amount: \$7,000,000

Disposition: Settlement

Synopsis: "Exxon Mobil Corporation...agreed to pay \$7 million to resolve claims under the False Claims Act [31 U.S.C. § 3729] and administrative claims that the corporation underpaid royalties due for oil produced on federal leases between 1988 and 1998."

Document(s):

1. DOJ Press Release

4.

Exxon Valdez Class Action

Date: 01/28/2004 (Date of Decision)

Misconduct Type: Environment

Contracting Party: Non-Governmental

Court Type: Civil

Amount: \$4,500,000,000

Disposition: Judgement against Defendant

Synopsis: "On September 24, 1996, the United States District Court for the District of Alaska entered a judgment in the amount of \$5 billion in punitive damages to a class composed of all persons and entities who asserted claims for punitive damages from the corporation as a result of the Exxon Valdez grounding. ExxonMobil appealed the judgment. On November 7, 2001, the United States Court of Appeals for the Ninth Circuit vacated the punitive damage award as being excessive under the Constitution and remanded the case to the District Court for it to determine the amount of the punitive damage award consistent with the Ninth Circuit's holding. The Ninth Circuit upheld the compensatory damage award which has been paid. On December 6, 2002, the District Court reduced the punitive damage award from \$5 billion to \$4 billion. Both the plaintiffs and ExxonMobil appealed that decision to the Ninth Circuit. The Ninth Circuit panel vacated the District Court's \$4 billion punitive damage award without argument and sent the case back for the District Court to reconsider in light of the recent U.S. Supreme Court decision in Campbell v. State Farm. On January 28, 2004, the District Court reinstated the punitive damage award at \$4.5 billion plus interest."

Document(s):

1. SEC 10-K

5.

Texas Environmental Notice of Enforcement

Date: 02/21/2004 (Date of Agreement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$150,000

Disposition: Administrative Agreement

Synopsis: "Texas Commission on Environmental Quality ("TCEQ") issued Notices of Enforcement to [Exxon Mobil Corporation (EMOC)] with respect to its Beaumont, Texas refinery on May 21, 2002 and on August 22, 2002. The TCEQ alleged violations of Texas Air Quality regulations relating to leak detection and repair issues. EMOC entered into a final administrative order with the TCEQ, resolving all outstanding issues in this matter, on February 21, 2004. Under the order, EMOC has paid a \$75,000 penalty to the TCEQ and has paid \$75,000 to Jefferson County, Texas for a supplemental environmental project."

Document(s):

1. SEC 10-K

6.

Texas Environmental Notice of Enforcement

Date: 02/03/2004 (Date of Agreement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$4,800

Disposition: Administrative Agreement

Synopsis: The Texas Commission on Environmental Quality (TCEQ) "issued a Notice of Enforcement on June 25, 2003, alleging leak detection and repair violations and failure to submit deviation reports required by a permit. The allegations relate to Colonial Tank Farm, which is operated by [Exxon Mobil's (EMOC)] Beaumont refinery under an agreement with Colonial Pipeline. EMOC entered into an administrative order with the TCEQ on February 3, 2004 whereby EMOC has agreed to pay a civil penalty in the amount of \$4,800 to resolve this matter."

Document(s):

1. SEC 10-K

7.

Texas Environmental Notice of Enforcement

Date: 08/29/2003 (Date of Notice)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$80,444

Disposition: Administrative Agreement

Synopsis: The "Texas Commission on Environmental Quality ("TCEQ")... agreed to settle a Notice of Enforcement issued on August 29, 2003, alleging leak detection and repair violations and inadequate notifications of several emissions events as required by air quality regulations at ExxonMobil Oil Corporation's ("EMOC") Beaumont, Texas refinery. Under the terms of the settlement, EMOC has agreed to pay a civil penalty totaling \$80,444, half of which will be paid through a supplemental environmental project involving county vehicle retrofits."

Document(s):

1. SEC 10-K

8.

Exxon Corp. v. Alabama (Oil Royalties)

Date: 05/12/2005 (Date of Decision)

Misconduct Type: Non-governmental Contract Fraud

Contracting Party: Non-Governmental

Court Type: Civil

Amount: \$3,563,500,000

Disposition: Judgement against Defendant

Synopsis: "In December 2000, a jury in the 15th Judicial Circuit Court of Montgomery County, Alabama, returned a verdict against the Corporation in a dispute over royalties in the amount of \$88 million in compensatory damages and \$3.4 billion in punitive damages in the case of Exxon Corporation v. State of Alabama, et al. The verdict was upheld by the trial court in May 2001. In December 2002, the Alabama Supreme Court vacated the \$3.5 billion jury verdict. The case was retried and in November 2003, a state district court jury in Montgomery, Alabama, returned a verdict against Exxon Mobil Corporation. The verdict included \$63.5 million in compensatory damages and \$11.8 billion in punitive damages. In March 2004, the district court judge reduced the amount of punitive damages to \$3.5 billion."

Document(s):

1. SEC 10-K

9.

Grefer (Contaminated Property)

Date: 04/01/2005 (Date of Press Release)

Misconduct Type: Environment

Contracting Party: Non-Governmental

Court Type: Civil

Amount: \$168,000,000

Disposition: Judgement against Defendant

Synopsis: In 2001, a Louisiana state court jury awarded compensatory damages of \$56 million and punitive damages of \$1 billion to a landowner for damage caused by a third party that leased the property from the landowner. The third party provided pipe cleaning and storage services for the Corporation and other entities. The Louisiana Fourth Circuit Court of Appeals reduced the punitive damage award to \$112 million in 2005.

Document(s):

1. Exxon Mobil Press Release
2. SEC 10-K

10.

Hazardous Waste

Date: 12/13/2001 (date of settlement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Civil

Amount: \$11,200,000

Disposition: Settlement

Synopsis:

"United States Attorney for the Eastern District of New York and the United States Environmental Protection Agency (EPA) Region 2,...announced one of the largest hazardous waste settlements in history, with the filing of a Consent Decree, settling a hazardous waste case filed in 1996 against Mobil Oil Corporation. The case alleged mismanagement of benzene-contaminated wastes at Port Mobil, a major petroleum product storage and distribution terminal on the Arthur Kill in Staten Island. United States v. Mobil Oil Corporation, 96-1432 (JG). The case was scheduled for trial this week before United States District Judge John Gleeson. The Consent Decree is with Exxon Mobil Corporation, as a result of the 1999 merger of Mobil and Exxon."

Document(s):

1. EPA Press Release

11.

Massachusetts Clean Up Violation

Date: 10/19/2005 (Date of Fine)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$43,984

Disposition: Fine

Synopsis: The Massachusetts Department of Environmental Protection (MassDEP) has assessed a penalty of \$43,984 against the ExxonMobil Oil Corporation for the company's failure to undertake

cleanup actions in compliance with environmental regulations at the former Exxon Service Station location at 6 Goffe Street, Hadley.

Document(s):

1. Massachusetts Press Release

12.

Clean Air Act Violation

Date: 10/11/2005 (Date of Agreement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$7,700,000

Disposition: Administrative Agreement

Synopsis:

A "Consent Decree in United States et al. v. Exxon Mobil Corporation and ExxonMobil Oil Corporation, Civil Action No. 05-C-5809, was lodged with the United States District Court for the Northern District of Illinois. In a complaint that was filed simultaneously with the Consent Decree, the United States, the State of Illinois, the State of Louisiana, and the State of Montana sought injunctive relief and penalties against Exxon Mobil Corporation and ExxonMobil Oil Corporation ("ExxonMobil") pursuant to Sections 113(b) and 304(a) of the Clean Air Act, 42 U.S.C. 7413(b) and 7604(a), for alleged Clean Air Act violations and violations of the corollary provisions in state laws at ExxonMobil petroleum refineries in Baton Rouge, Louisiana; Baytown, Texas; Beaumont, Texas; Billings, Montana; Joliet, Illinois, and Torrance, California."

Document(s):

1. EPA Press Release
2. Consent Decree

13.

Unregistered Tanks in Pennsylvania

Date: 10/29/1999 (date of settlement)

Misconduct Type: Environment

Contracting Party: Government Civilian

Court Type: Administrative

Amount: \$90,000

Disposition: Settlement

Synopsis:

On October 29, 1999, the Pennsylvania Department of Environmental Protection (the "PDEP") [alleged] that Mobil Oil Corporation had violated the Pennsylvania Tank Act by knowingly delivering products into unregistered tanks, was settled. The PDEP had sought penalties of up to \$295,000; the matter was settled with the payment of a \$90,000 penalty.

Document(s):

1. SEC 10-K