

Dear Mr. O'Brien:

We are in receipt of your May 1, 2012 letter directed to General Insurance Company of America regarding the above-captioned matter. We will conduct a search of our records for copies of the putative policies indicated in your letter. Please provide pdf copies of any materials or information from which you obtained those policy numbers or any other information concerning the existence or terms of any such policies. Given the time period in question, it is possible that any such policies may not be internally located, so the City of Benicia's assistance in our policy search process would be greatly appreciated.

In the interim, we understand that, at this time, the City of Benicia ("Benicia") has not been served with a lawsuit or received an Order from the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") regarding the captioned matter. We understand that ERS has been engaged by Benicia in connection with its discussions with the DTSC. To the extent that Benicia may be represented by counsel with regard to insurance-coverage issues, please so advise and either provide such counsel's contact information or feel free to forward this email. Pending receipt of any such advice, we will continue to direct correspondence to your attention and to City Attorney Heather McLaughlin. Please feel free to call me directly if you or Ms. McLaughlin wish to discuss this matter or have any questions or concerns at any time.

Pending completion of our investigation and communication of our coverage position in this matter, General Insurance Company of America fully reserves its rights. Neither this correspondence nor any prior or subsequent communication is intended or should be construed as a waiver of any rights or defenses to coverage available to General Insurance Company of America under its policies or applicable law.

Regards,

Eric S. Rinehimer

Environmental Claim Specialist III

Complex and Emerging Risks Claims

Liberty Mutual Insurance

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Responsibility. What's your policy?