



SUBPOENA DUCES TECUM

Issued Pursuant to Rule 3.34(b), 16 C.F.R. § 3.34(b)(1997)

1. TO
Turner, Mason & Company
Suite 2920, L.B. 28
2121 San Jacinto
Dallas, Texas 75201

2. FROM

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

This subpoena requires you to produce and permit inspection and copying of designated books, documents (as defined in Rule 3.34(b)), or tangible things - or to permit inspection of premises - at the date and time specified in Item 5, at the request of Counsel listed in Item 9, in the proceeding described in Item 6.

3. PLACE OF PRODUCTION OR INSPECTION

Robins, Kaplan, Miller & Ciresi LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402

4. MATERIAL WILL BE PRODUCED TO

Union Oil Company of California, Inc.

5. DATE AND TIME OF PRODUCTION OR INSPECTION

May 2, 2003 9:30 a.m.

6. SUBJECT OF PROCEEDING

In the matter of Union Oil Company of California, Docket No. 9305

7. MATERIAL TO BE PRODUCED

See attached Specifications, Definitions and Instructions

8. ADMINISTRATIVE LAW JUDGE

Honorable Michael D. Chappell

Federal Trade Commission
Washington, D.C. 20580

9. COUNSEL REQUESTING SUBPOENA

Sara A. Poulos, Esq.
(612) 349-8490

DATE ISSUED

MAR 20 2003

SECRETARY'S SIGNATURE

GENERAL INSTRUCTIONS

APPEARANCE

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

MOTION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any motion to limit or quash this subpoena be filed within the earlier of 10 days after service or the time for compliance. The original and ten copies of the petition must be filed with the Secretary of the Federal Trade Commission, accompanied by an affidavit of service of the document upon counsel listed in Item 9, and upon all other parties prescribed by the Rules of Practice.

TRAVEL EXPENSES

The Commission's Rules of Practice require that fees and mileage be paid by the party that requested your appearance. You should present your claim to counsel listed in Item 9 for payment. If you are permanently or temporarily living somewhere other than the address on this subpoena and it would require excessive travel for you to appear, you must get prior approval from counsel listed in Item 9.

This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.

**SUBPOENA *DUCES TECUM* ISSUED TO TURNER MASON & COMPANY ON
BEHALF OF UNION OIL COMPANY OF CALIFORNIA IN
IN RE UNION OIL COMPANY OF CALIFORNIA, INC.
FTC Docket No. 9305**

EXHIBIT A

I. SPECIFICATIONS

1. All documents evidencing Turner Mason studies or analyses provided to CARB relating to regulations for reformulated gasoline.
2. All workpapers underlying the Turner Mason studies or analyses produced in response to #1.
3. All linear program models in hard copy and electronic format used by Turner Mason in the preparation of any cost studies done on behalf of WSPA or anyone else in connection with the CARB Phase II rulemaking.
4. All documents reflecting, evidencing or referring to communications from WSPA members and/or Auto/Oil members relating to the studies referred to in #1.
5. All documents submitted to CARB by Turner Mason relating to regulations for reformulated gasoline.
6. All documents contained in the personal files of Robert E. Cunningham which relate in any way to any litigation-based or non-litigation based work Mr. Cunningham has performed relating to any Unocal patent.
7. All documents evidencing, reflecting or referring to communications between Unocal and Turner Mason relating in any way to royalty rates, license fees and/or patents.
8. All documents evidencing, reflecting or referring to communications between Unocal and Turner Mason relating in any way to proposed or actual costs involved in the manufacture of reformulated gasoline.
9. All documents relating to any antitrust policies of WSPA or Auto/Oil from 1988 through present.
10. All documents referring or relating to Unocal's patents.
11. All documents which Turner Mason provided to the FTC relating in any way to Unocal.
12. All documents evidencing, reflecting, or referring to communications between the FTC and Turner Mason relating in any way to Unocal.

II. INSTRUCTIONS AND DEFINITIONS

1. "Document" means the complete original or a true, correct and complete copy and any non-identical copies of any written or graphic matter, no matter how produced, recorded, stored or reproduced, including, but not limited to, any writing, letter, envelope, telegram, meeting minute, memorandum, statement, affidavit, declaration, book, record, survey, map, study, handwritten note, working paper, chart, index tabulation, graph, tape, data sheet, data processing card, printout, microfilm, index, computer readable media or other electronically stored data, appointment book, diary, diary entry, calendar, desk pad, telephone message slip, note of interview or communication or any other data compilation in your possession, custody or control, including all drafts or all such documents. "Document" also includes every writing, drawing, graph, chart, photograph, phono record, tape and other data compilations from which information can be obtained, translated, if necessary, by Turner Mason through detection devices into reasonably usable form, and includes all drafts and all copies of every such writing or record that contain any commentary, notes, or marking whatsoever not appearing on the original.

2. "You," "your" and "Turner Mason" for purposes of this request, means Turner Mason & Company or any of its parents, divisions, subdivisions, affiliates, officers, directors or managing agents, attorneys and employees, as well as any predecessors in interest, and all other persons acting or purporting to act on its behalf.

3. "Unocal," for the purposes of this request, means the Union Oil Company of California, Unocal Corporation and any subsidiary or division thereof.

4. "Unocal Matter" means the investigation conducted by the FTC under Rule No. 011-0214 and this Administrative Proceeding, Docket No. 9305.

5. "CARB" means the California Air Resources Board, any bureau, division, office or subpart thereof, and its staff, attorneys, employees, consultants and any person acting or purporting to act on its behalf.
6. "Investigation" means any FTC investigation, whether formal or informal, public or non-public.
7. "Auto/Oil" means the Auto/Oil Quality Improvement Research Program, its staff, attorneys, employees, consultants and any person acting or purporting to act on its behalf.
8. "Third Party" means any person; corporate entity; partnership; association; joint venture; state, federal or local governmental agency, authority or official; research or trade association; or any other entity other than Turner Mason & Company or any of its subsidiaries.
9. "Refiner" means any company in the business of refining oil or gasoline, as well as its parents and subsidiaries.
10. "Unocal Patents" means U.S. Patents Nos. 5,288,393 (the '393 patent), 5,837,126 (the '126 patent), 5,593,567 (the '567 patent), 5,653,866 (the '866 patent) and 6,030,521 (the '521 patent).
11. The "Complaint" means the Complaint issued by the Federal Trade Commission to Union Oil Co. in Docket No. 9355.
12. "Relating to" means in whole or in part constituting, containing, concerning, discussing, describing, analyzing, identifying or stating.
13. "Reformulated gasoline" means gasolines designed to result in emissions reductions, including without limitation, gasolines meeting the requirements of regulations promulgated by CARB and/or the United States Environmental Protection Agency.
14. Unless otherwise stated, the relevant time period for these requests is 1988 to the present.

15. The use of the singular shall be deemed to include the plural and vice versa. The terms "and" and "or" shall be interpreted liberally as conjunctive, disjunctive, or both, depending on the context, so as to have their broadest meaning. Whenever necessary to bring within the scope of a request all the documents that might otherwise be construed to be outside its scope, the use of a verb in any tense shall be construed as the use of the verb in all other tenses. The term "all" includes any and vice versa.

16. If you object to any part of a document request under the FTC Rules of Practice § 3.37(b), set forth the basis for your objection and respond to all parts of the document request to which you do not object. No part of a document request shall be left unanswered merely because an objection is interposed to another part of a document request.

17. All documents that respond, in whole or in part, to any portion of any document request shall be produced in their entirety, including all attachments, enclosures, cover memoranda and post-it notes.

18. If any privilege is claimed as a ground for not producing any document, provide for each such document withheld on the basis of privilege all information required by FTC Rules of Practice § 3.38A.

19. In the event that any responsive document was, but is no longer in your possession, state what disposition was made of it, when, and the reason for such disposition. In the event that a responsive document has been destroyed or returned to a Third Party, state (i) the reason for such document's destruction or return, the date on which the document was destroyed or returned, and the Third Party to whom the document was returned or on whose behalf the document was destroyed; (ii) the name, title, and Section thereof within Turner Mason & Company of the individual in whose possession, custody or control the document was when it was destroyed or returned; and (iii) the name, title, and

Section thereof within Turner Mason & Company of the individual who destroyed or returned the document.

20. These document requests are continuing in nature, up to and during the course of the adjudicative hearing. All documents sought by these requests that you obtain or locate after you serve your responses must be immediately produced to counsel for Unocal by supplementary response.

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2003, I caused a copy of a Subpoena Duces Tecum directed to Turner, Mason & Company to be served upon the below listed persons:

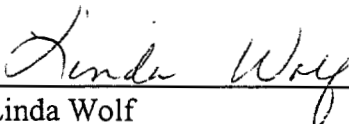
Via Registered Mail:

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Dallas, TX 75201

Via Federal Express:

J. Robert Robertson, Esq.
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Federal Trade Commission
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Richard B. Dagen, Esq. through service upon
Chong S. Park, Esq.
Bureau of Competition
Federal Trade Commission
601 New Jersey Avenue NW, Drop 6264
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Linda Wolf