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Alameda County

APR 16 2012

Environmental Health

April 11, 2012

Alameda County Environmental Health  
Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

**Re: Fuel Leak Case No. RO0003068 and Geotracker Global ID T1000002518, Lane  
Splitters Pizza, 3645 San Pablo Avenue, Emeryville, CA 94608 ("Site")**

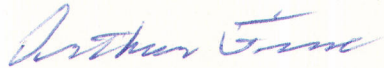
Dear Sirs:

This firm represents Dan and Vic Diversified, LLC ("D&V Diversified"), the recorded fee title owner of the Site. This letter is in response to your letter dated April 9, 2012 directed to D&V Diversified, Placeworks, LLC, and City of Emeryville Redevelopment Agency. The letter identified those three entities along with Chevron Environmental Management Co. and Alvin W. & Dorothy W. Quilice, as being the responsible parties for the Site. The letter specified that Alameda County Environmental Health Services ("ACEH") identified D&V Diversified as the primary or active responsible party. That designation apparently was on the basis that D&V Diversified was the recorded fee title owner of the Site. As such, the letter requested D&V Diversified to inform ACEH within 20 calendar days of the date of the letter of all current record owners of fee title of the Site. On behalf of D&V Diversified, I am hereby informing ACEH that Dan & Vic Diversified is the record owner of fee title of the Site, and since acquiring that title has sold no interest in the Site. Accordingly, D&V Diversified is the only current record owner of fee title of the Site.

Your letter of April 9, 2012 quotes the definition of a Responsible Party as provided in 23 CCR Section 2720 in any one of four ways, and then specifies for each of the named Responsible Parties in which of the four ways it was determined to be a Responsible Party. As specified in the attachment to the letter, D&V Diversified was named as a Responsible Party solely as the owner of the Site where an unauthorized release of a hazardous substance from an underground storage tank had occurred. On the other hand, Unocal/Chevron dba Chevron Environmental Management Company ("Chevron") was identified as a Responsible Party for the Site in all of the defined four ways. Under the circumstances, it would appear appropriate that Chevron should act as the principal Responsible Party such that it will agree to be the primary or active Responsible Party for the Site. By a copy of this letter being sent to Chevron, D&V Diversified specifically requests that Chevron assume that primary or active Responsible Party status for the Site. D&V Diversified further requests that Chevron so agrees in writing to ACEH confirming

that it will serve as the primary or active Responsible Party in lieu of D&V Diversified for the Site.

Sincerely,



Arthur Fine  
A Professional Corporation for  
MITCHELL SILBERBERG & KNUPP LLP

ABF/mat

cc: Dan & Vic Diversified, LLC – 2033 San Pablo Avenue, Berkeley, CA 94702  
Stuart Rickard, Placeworks, LLC – 1501 Pacific Avenue, Alameda, CA 94501  
City of Emeryville Redevelopment Agency – c/o Mr. Markus Niebanck,  
1131 Harbor Bay Parkway, Emeryville, CA 94608  
Roya Kambin, Chevron Environmental Management Company –  
6101 Bollinger Canyon Rd., 5th Floor, San Ramon, CA 94583-5186