

R02949

Wickham, Jerry, Env. Health

From: Drogos, Donna, Env. Health
Sent: Wednesday, November 07, 2007 2:07 PM
To: Wickham, Jerry, Env. Health
Subject: FW: 626 2nd Street, Oakland

From: Malcolm Leader-Picone [mailto:mlp@leader-picone.com]
Sent: Monday, October 22, 2007 1:36 AM
To: Drogos, Donna, Env. Health
Cc: Dan Altwarg; Olivia Jacobs
Subject: 626 2nd Street, Oakland

Ms. Drogos:

I am legal counsel to Cardanal Properties, LLC, the owner of the property commonly referred to as 626 2nd Street, Oakland.

I understand that you spoke with my client, Dan Altwarg about this site on or around September 19, 2007. I understand that you have asked for copies of our communications with PG&E, who is a responsible party with respect to at two of the underground storage tanks on the property. I have been unable to provide you with copies of that correspondence because of its confidentiality under the California Evidence Code as settlement negotiations. Nonetheless, I have been working on obtaining a document executed between PG&E and my client that would designate the extent to which PG&E has agreed to take responsibility with respect to our site, and the extent to which we and PG&E have agreed to forebear litigating our dispute over further liability while we work with the County to determine what, if anything, further needs to be done to either investigate or remediate the site.

I hope to be in touch with you later this week to discuss this, after I receive a response from PG&E's counsel with respect to the document. In the meantime, if you have any questions or concerns about our site, please direct all your communications to me. My full contact information is listed below.

Malcolm Leader-Picone

Malcolm Leader-Picone, Esq.
BARTLETT, LEADER-PICONE & YOUNG, LLP
2201 Broadway, Suite 803
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Phone: (510) 444-2404, Ext. 24
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THIS TRANSMISSION MAY BE PRIVILEGED AND MAY CONTAIN

11/14/2007

Wickham, Jerry, Env. Health

From: Drogos, Donna, Env. Health
Sent: Wednesday, November 07, 2007 2:06 PM
To: Wickham, Jerry, Env. Health
Subject: FW: 626 2nd Street, Oakland

From: Malcolm Leader-Picone [mailto:mlp@leader-picone.com]
Sent: Monday, October 22, 2007 11:24 AM
To: Drogos, Donna, Env. Health
Cc: Dan Altwarg; Olivia Jacobs
Subject: RE: 626 2nd Street, Oakland

Donna:

I have attached a copy of the Phase I assessment for our site which contains all we know about the history of the site.

PG&E was not the property owner, they were a long-term lessee. The property owner, Muller Brothers, have not been found. There is no data on Muller Brothers utilizing Lexis searches of California property, lien, judgment, and corporation databases.

Online, the only reference I found to Muller Brothers is with respect to an early supermarket in Los Angeles:

<http://www.sah.org/oldsite06012004/bibs/dimlist.html>

Rainbow Market

address: 6751-63 Santa Monica Boulevard (@ McCadden)

date built: 1929

cost: \$20,000

owner: Muller Brothers

architect: Harry L. Pierce

status: extant, alterations

source: SWBC, 24 May 1929, 52; 7 June 1929, 60; 14 June 1929, 53, 56; LAT, 30 June 1929, V-14;

HDC, 4 Oct. 1929, 13-19

I found another reference to a turn-of-the-century Muller Brothers is in Kings County:

<http://www.cagenweb.com/cpl/bios3.htm>

HENRY F. ROCK That progressive merchant and real estate investor of Armona, Kings county, Cal., Henry F. Rock, was born in Shasta county, in this state, September 12, 1870. His youth and the earlier years of his manhood were passed on a farm and he was educated in the public school in his home district. When he was about twenty-nine years old he located on a farm in Fresno county, which he operated with varying success for some years. By this time he had made up his mind that he would be a merchant and had saved money with which to go into business. Buying the O. B. Hanan store at Centerville, Fresno county, he conducted it four years, meanwhile farming on rented land in the vicinity. In 1907 he closed out the merchandise business to Messrs. Elliott & Coleman of Conejo, Fresno county,

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and came to Armona, Kings county, to take over the well established mercantile enterprise of Muller Brothers, who had been trading here five years. He has since handled the business with increasing success. From his merchandising he has found time to interest himself in real estate, and has acquired an interest in town and country property. in different alfalfa ranches and in a farm of seventy-eight acres. Besides, he is a stockholder in the commission house of Zaiser Brothers, Los Angeles.

Plus, I found three references to a Muller Brothers in New Jersey, who are obviously not the same folks.

So, we have had to accept that "Muller Brothers" are a dead end.

As to PG&E, my contacts are two lawyers:

Meg Pietrasz, Esq.
Mari C. Snyder, Esq.
Pacific Gas and Electric Company
Law Department
77 Beale Street, Room 3041
Mail Code B30A
San Francisco, CA 94105

P. O. Box 7442
San Francisco, CA 94120
Telephone: 415-973-1580
Facsimile: 415-973-5520
Email: MAPp@pge.com
MCSa@pge.com

I look forward to speaking with you next week.

Malcolm

At 09:16 AM 10/22/2007, Drogos, Donna, Env. Health wrote:

Hi Malcolm,

Okay, I need the contact information for the former UST and property owner(s) to complete responsible party identification for this site. Please include information on the property owner at the time PG&E was on the site (if PG&E was not the property owner).

I am quite busy this week but am available nearly all of next week to talk to you about the site.

Donna

Donna L. Drogos, PE
LOP Program Manager
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502

510-567-6721
donna.drogos@acgov.org

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<http://www.acgov.org/aceh/index.htm>

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