

STATE OF TEXAS

COUNTY OF JEFFERSON

§
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§
§

KNOW ALL MEN BY THESE
PRESENTS

AFFIDAVIT OF DAVID JAMES

BEFORE ME, the undersigned notary public, on this day personally appeared DAVID JAMES, who, being first duly sworn by me according to law, on his oath, deposed and stated the following:

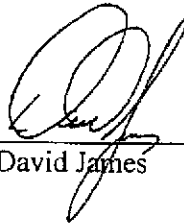
"My name is DAVID JAMES, and I am above the age of eighteen (18) years and have never been convicted of a felony or crime involving moral turpitude. I am an attorney with the firm of STEVENS BALDO FREEMAN & LIGHTY, LLP, ("the firm") of Beaumont, Texas. In the course of my representation of Higman Barge Lines, Inc. ("Higman"), a client of the firm in the spring of 2007 before the United States Environmental Protection Agency ("USEPA"), I had numerous phone calls and one in person meeting with Mr. Joseph Compton, III, an attorney with the USEPA. All of my communications with Mr. Compton concerned the issue of whether Higman was liable for response costs incurred in the remediation of the Palmer Barge Superfund Site at Port Arthur, Texas. The USEPA had agreed in 2002, that Higman was not liable for response costs pursuant to the so-called petroleum exclusion from liability pursuant to §101(14) of CERCLA, 42 USC §9601(14).

However, the EPA subsequently forwarded a Special Notice of Potential Liability and Draft Consent Decree ("Special Notice") dated December 29, 2006. Page 2 of the Special Notice stated, "Based on an extensive review of records related to the release and/or disposal of hazardous substances at the Site, EPA identified Higman Barge Line, Inc. as one of approximately 39 PRPs that either owned, operated or contributed hazardous substances to the Site." On January 10, 2007, I spoke with Joseph Compton of EPA Region 6 to determine the basis of the December 29, 2006 Special Notice. In that January 10, 2007 conversation, Joseph Compton informed me that the EPA had discovered new evidence concerning my client Higman. I subsequently made a FOIA request to the EPA for the new evidence and there was no new evidence in the EPA's response.

On May 11, 2007 I received a Unilateral Administrative Order dated May 7, 2007 ("UAO") again asserting liability against Higman. In several telephonic discussions with Mr. Compton following issuance of the UAO to Higman and in answer to inquiries as to why the USEPA had reversed its position regarding Higman's liability, Mr. Compton stated that the change of position was based on a recent federal court case that he referred to as the "Voda case". Mr. Compton repeated this asserted basis for EPA's change of position in a meeting with him at the USEPA office in Dallas, Texas on May 31, 2007, in the presence of Mr. Harless R.

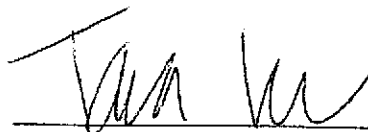
Benthul, attorney, of Houston, Texas who had been retained to assist in the representation of Higman.

Further, the affiant saith not."



David James

SUBSCRIBED and SWORN TO before me on this 16th day of January, 2008, to certify which witness my hand and seal of office.



NOTARY PUBLIC FOR THE STATE OF TEXAS

HARLESS R. BENTHUL

ATTORNEY
LYRIC CENTRE
440 LOUISIANA, SUITE 600
HOUSTON, TEXAS 77002

PHONE: 713-223-0030

FAX: 713-223-0026

June 18, 2007

Via Facsimile @ 214-665-6460 and Certified Mail Return Receipt Requested Number
7006 2150 0003 4196 3980

Mr. Joseph Compton III
Associate Regional Counsel
Office of Regional Counsel (6RC-S)
U.S.E.P.A. Region 6
1445 Ross Ave.
Dallas, TX 75202-2733

Ref: Palmer Barge Superfund Site, Port Arthur, Jefferson County, Texas

Dear Mr. Compton:

This will confirm our telephone discussion of Thursday, June 14, 2007, regarding the referenced Superfund site about the EPA's change of position (reversing its prior determination that Higman Barge Lines, Inc. was not a Potentially Responsible Party *vis a vis* the Palmer site because of the applicability of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") petroleum exclusion). Our discussion was as follows:

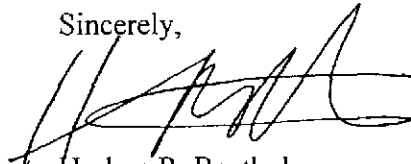
1. You acknowledged that, you were wrong in stating that the legal basis for the EPA's change of position was the "Voda case" and further acknowledged that the Voda case is not a judicial decision but a Region 6 administrative order on consent.
2. You stated the basis for the agency's change of position was an EPA policy supported by the Office of General Counsel ("OGC") and when I asked you to provide a copy of the policy and/or OGC opinion, you told me to contact the OGC. After I suggested that the policy and/or opinion was, under the circumstances, a part of the agency's demonstration of Higman's liability, you agreed to provide a copy of the policy and/or opinion.

EXHIBIT 8

Please advise me if I have mischaracterized our conversation in any material way.

I look forward to receiving the written policy and/or opinion. By copy of this letter to the Remedial Program Manager, I request that it become part of the site file and administrative record.

Sincerely,



Harless R. Benthul

cc: Carlos Sanchez via facsimile @ 214-665-6660 and certified mail, return receipt requested, number 7006 2150 0003 4196 3973

cc: Kyle Shaw
David James



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

JUL 12 2007

Harless R. Benthul
Attorney
Lyric Centre
440 Louisiana, Suite 600
Houston, Texas 77002

RE: Palmer Barge Superfund Site, Port Arthur, Jefferson County, Texas


Dear Mr. Benthul:

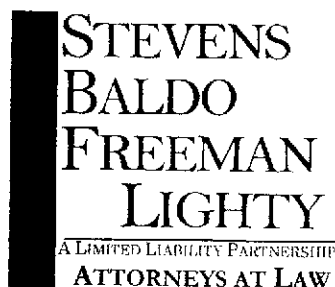
Thank you for your letter of June 18, 2007, addressing our June 14th telephone conversation.

As we discussed, the Agency believes that vacuum gas oil (VGO) was commingled or otherwise intermixed with other known CERCLA hazardous substances at the Palmer Barge site. Under CERCLA and case law interpreting its cost recovery and contribution provisions, the commingled VGO may give rise to liability for response costs incurred. To the extent your client brought VGO to the Palmer Barge site that was commingled with CERCLA hazardous substances at the site, CERCLA's joint and several liability provisions may be applicable.

I am happy to discuss these matters further with you if you have additional questions.

Sincerely,

for 
Joseph E. Compton, III
Asst. Regional Counsel



DAVID JAMES
Admitted in Texas and Louisiana

550 Fannin Street, Suite 700
Beaumont, Texas 77701
office (409) 835-5200
fax (409) 835-5201
mobile (409) 658-7204
djames@sbf-law.com

May 22, 2007

Via Electronic Mail and Certified Mail, Return Receipt Requested

Joseph Compton, Esq. [Email: Compton.Joseph@epamail.epa.gov](mailto:Compton.Joseph@epamail.epa.gov)
United States Environmental Protection Agency, Region 6
Superfund Division (6SF-DL)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: United States Environmental Protection Agency; Palmer Barge Line Superfund Site

Dear Mr. Compton:

Subject to and without prejudice to any of its rights, remedies, claims and defenses, Higman Barge Lines, Inc. ("Higman") acknowledges receipt of the Unilateral Order for Remedial Design and Remedial Action.

I would like to thank you for discussing the basis of EPA's contention that Higman is a PRP for this site in our May 16, 2007 telephone conversations. As you are aware, we have not yet received a response to our FOIA request for the information. I now understand from our telephone call that no new evidence has been developed against Higman and the sole basis for considering Higman a PRP arises out of barges containing vacuum gas oil ("VGO") and No. 6 oil. The EPA now contends that VGO and No. 6 oil do not qualify for the petroleum exclusion. I have spent the past day looking for such authority to no avail and I would appreciate a case site or other authority forming the basis of this contention.

My client and I assert and renew our contention that, regarding all barge transactions, both VGO and No. 6 oil are within the exclusion. Both VGO and No. 6 crude are distillation fractions of petroleum, as recognized by the authoritative treatise, Kirk-Othmer Concise Encyclopedia of Chemical Technology. I enclose a copy of page 1494 of Volume Two of the Fourth Edition. Table 1, Distillate Fractions of Petroleum explicitly lists VGO. No. 6 oil is a component of the heavy oil. I respectfully but strenuously insist that the EPA is wrong in reversing its earlier position on this point.

EXHIBIT 6

Moreover, four of the five VGO and No. 6 Fuel Oil transactions Higman had with Palmer Barge *did not* result in any materials being transferred to the facility. Those transactions occurred on March 14, 1993 and March 26, 1993 and involved the barges HTCO 2302 (VGO), HTCO 2301(VGO), GDM 264 (No. 5 Fuel Oil) and S 2512 (No. 6 Fuel Oil). On those days, Palmer steamed the heating coils of the barges to heat the cargo and make it less viscous. "Steaming" is simply the process of circulating steam through coils to improve the fluidity of the cargo. The purpose of this practice is to make the cargo more easily discharged using the barge's cargo pump and facilitate a quicker unloading to the refinery consignee. This unloading did not occur at the Palmer site. If required, I can provide documentation showing how this process works and conclusively prove that none of the cargo leaves the barge during this process.

Higman has cooperated with the EPA by providing a complete disclosure of documents in its possession concerning transactions it had with the site. Higman also provided affidavits of two of its employees demonstrating that all but six of the transactions involved crude oil. Higman's candor resulted in the EPA's July 25, 2002 letter confirming that it was no longer considered a PRP. The matter remained dormant for more than four years while the PRPs conducted the Remedial Investigation and Feasibility Study. A ROD was produced on September 25, 2005. On December 29, 2006, the EPA issued a Special Notice for the Remedial Design and Remedial Action, seeking good faith offers for the site, the first time that Higman learned that it was somehow again considered a PRP. Higman made a \$1,000 offer, a fair offer given its limited involvement at the site and qualification for the petroleum exclusion. It was not until May 16, 2007 that Higman learned the basis upon which the EPA relied to administratively order Higman to clean up the site.

Using EPA's own contention that VGO and No. 6 oil are not within the petroleum exclusion, there are only two transactions upon which the EPA and the PRPs can rely to possibly implicate Higman. The first is the cleaning of the barge HTCO 2302 on March 6, 1994 when the cargo tanks were stripped of their No. 6 Fuel Oil cargo. The other transaction involved the stripping of the bilges of the towboat M/V JOE M. POWELL on December 1, 1993. My client and I believe that it is unjust for the EPA to order Higman to perform the RD/RA when there are numerous other potential PRPs not named in the order who have not cooperated to the same degree as Higman, have contributed more materials to the site, and contributed materials that are actually listed in 40 C.F.R. § 302.4.

Higman does not concede that it ever transferred any hazardous substance to the Palmer facility on either occasion referred to in the preceding paragraph. However, reference to the list of chemicals of concern in the Record of Decision (e.g., Table 9, page 27) strongly suggests that Higman could never have contributed any material to the Palmer site that cause the incurrence of response cost. On the contrary, presupposing Higman-related material was transferred to the Palmer facility through the cleaning process, Higman is entitled to demonstrate that it did not contribute to harm at the site and is entitled to an apportionment of zero response costs. *U.S. v. Alcan Aluminum Corp.*, 964 F.2d 252 (3rd Cir. 1992).

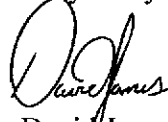
Additionally, Higman can produce affidavit evidence that it was Palmer's practice to separate oil recovered by it in the cleaning process and sell that oil. To that extent, oil recovered

Joseph Compton
May 22, 2007
Page 3

by Palmer from Higman vessels was not only unavailable to need remediation, but also was a useful product

In light of the circumstances, I believe the EPA should reconsider Higman's inclusion in the Administrative Order to prevent this obvious injustice being worked by the EPA. I respectfully request a private session with you to discuss Higman's liability with you at the May 31, 2007 meeting. Please advise whether you are open to such a meeting.

Very Truly Yours,



David James

DJ:tl
Enclosure

Steam flooding can greatly increase the recovery of high viscosity crude oils by heat thinning. This increases oil mobility in the reservoir. The addition of urea and iron sulfate or nickel compounds is said to further lower the viscosity of the crude oil. Surfactant foaming agents can be used to reduce the mobility of the high temperature steam. Because some heavy crude oils have relatively high acid numbers, it is not surprising that addition of alkaline agents to high temperature steam can increase recovery of these oils.

Other Technologies

Microbial-enhanced oil recovery involves injection of carefully chosen microbes. Subsequent injection of a nutrient is sometimes employed to promote bacterial growth. Molasses is the nutrient of choice owing to its low (ca \$100/t) cost. The main nutrient source for the microbes is often the crude oil in the reservoir. A rapidly growing microbe population can reduce the permeability of thief zones improving volumetric sweep efficiency. Microbes, particularly species of *Clostridium* and *Bacillus*, have also been used to produce surfactants, alcohols, solvents, and gases *in situ*. These chemicals improve waterflood oil displacement efficiency (see also BIOREMEDIATION).

The *in situ* combustion method of enhanced oil recovery through air injection is a chemically complex process. There are three types of *in situ* combustion: dry, reverse, and wet. In the first, air injection results in ignition of crude oil and continued air injection moves the combustion front toward production wells. Temperatures can reach 300–650°C. Ahead of the combustion front is a 90–180°C steam zone, the temperature of which depends on pressure in the oil reservoir. Zones of hot water, hydrocarbon gases, and finally oil propagate ahead of the steam zone to the production well.

The oil zone is fairly cool, and in a viscous oil reservoir this can result in little oil movement (liquid blocking). Reverse combustion, in which oil ignition occurs near the production well, can avoid this problem. The combustion zone moves countercurrent to the flow of air from the injection well. Oil flows through heated rock and remains mobile. Reverse combustion requires more air and consumes more oil than forward combustion.

In wet combustion, water is injected concurrently and alternately with air, extending the steam zone and aiding heat transfer to the crude oil reducing oil viscosity. This can decrease injected air:produced oil ratio and improve project economics.

JOHN K. BORCHARDT
Shell Chemical Company

J. Morittis, *Oil Gas J.*, 51 (Sept. 26, 1994).

D. H. Smith, *Surfactant-Based Mobility Control—Progress in Miscible-Flood Enhanced Oil Recovery*, ACS Symposium Series No. 373, American Chemical Society, Washington, D.C., 1988.

C. S. Sorbie, *Polymer-Improved Oil Recovery*, Blackie and Son, Ltd., London, 1991.

L. Schramm, ed., *Foams: Fundamentals and Applications in the Oil Industry*, American Chemical Society, Washington, D.C., 1994.

REFINERY PROCESSES, SURVEY

Petroleum refining, also called petroleum processing, is the recovery and/or generation of usable or salable fractions and products from crude oil, either by distillation or by chemical reaction of the crude oil constituents under the effects of heat and pressure. Crude petroleum is a mixture of compounds boiling at different temperatures that can be separated into a variety of different generic but often overlapping fractions (Table 1). The amounts of these fractions produced by distillation depend on the origin and properties of crude petroleum.

When petroleum occurs in a reservoir that allows the crude material to be recovered by pumping operations as a free-flowing dark-to-light colored liquid, it is often referred to as conventional petroleum.

Table 1. Distillation Fractions of Petroleum

Fraction	Boiling, °C
light naphtha	–1 to 150
gasoline	–1 to 180
heavy naphtha	150–205
kerosene	205–260
stove oil	205–290
light gas oil	260–315
heavy gas oil	315–425
lubricating oil	>400
vacuum gas oil	425–600
residuum	>600

Heavy oil differs from conventional petroleum in that its flow properties are reduced and it is much more difficult to recover from the subsurface reservoir. These materials have a much higher viscosity and lower API (American Petroleum Institute) gravity than conventional petroleum.

Heavy oil generally has an API gravity of less than 20 degrees and usually, but not always, a sulfur content of >2% by weight. Extra heavy oil occurs in the near-solid state and is virtually incapable of free flow under ambient conditions. Bitumen, often referred to as native asphalt, is a subclass of extra heavy oil and is frequently found as the organic filling in pores and crevices of sandstones, limestones, or argillaceous sediments.

A residuum, often shortened to resid, is the residue obtained from petroleum after nondestructive distillation has removed all the volatile materials. The temperature of the distillation is usually below 345°C because the rate of thermal decomposition of petroleum constituents is substantial above 360°C. Temperatures as high as 425°C can be employed in vacuum distillation. When such temperatures are employed and thermal decomposition occurs, the residuum is usually referred to as pitch.

Asphalt, prepared from petroleum, often resembles bitumen. When asphalt is produced by distillation, the product is called residual, or straight-run, asphalt. However, if the asphalt is prepared by solvent extraction of residua or by light hydrocarbon (propane) precipitation, or if it is blown or otherwise treated, the name should be modified accordingly to qualify the product, eg. propane asphalt.

Sour and sweet are terms referring to a crude oil's approximate sulfur content, which relates to odor. A crude oil that has a high sulfur content usually contains hydrogen sulfide, H₂S, and/or mercaptans, RSH; it is called sour. Without this disagreeable odor, the crude oil is judged sweet.

General refinery steps are given in Figure 1.

Desalting and Dewatering

Crude oil is recovered from the reservoir mixed with a variety of substances: gases, water, and dirt (minerals). Refining actually commences with the production of fluids from the well or reservoir and is followed by pretreatment operations that are applied to the crude oil either at the refinery or prior to transportation.

Field separation, which occurs at a field site near the recovery operation, is the first attempt to remove the gases, water, and dirt that accompany crude oil coming from the ground.

Desalting is a water-washing operation performed at the production field and at the refinery site for additional crude oil cleanup.

The usual practice is to blend crude oils of similar characteristics, although fluctuations in the properties of the individual crude oils may cause significant variations in the properties of the blend over a period of time. Blending several crude oils prior to refining can eliminate the frequent need to change the processing conditions that may be required to process each of the crude oils individually.

HARLESS R. BENTHUL

ATTORNEY
LYRIC CENTRE
440 LOUISIANA, SUITE 600
HOUSTON, TEXAS 77002

PHONE: 713-223-0030

FAX: 713-223-0026

June 7, 2007

Via U.S. Mail and Facsimile at 214-665-7330

Mr. Samuel Coleman, P.E.
Director, Superfund Program
U.S. Environmental Protection Agency
1445 Ross Ave.
Dallas, TX 75202-2733

Re: Palmer Barge Line Superfund Site, Port Arthur, Jefferson, Texas ('Palmer site')

Dear Sam:

I represent Higman Barge Lines, Inc. ('Higman') which was recently served with a Unilateral Administrative Order ('UAO') regarding the referenced site. The UAO requires respondents, including Higman, to commit to implementing the RD and RA by June 11, 2007. The UAO should be withdrawn, as applied to Higman, for the reasons discussed below.

The Palmer site was, as you know, a barge cleaning operation. All Higman barges serviced at the Palmer site were used to transport petroleum or fractions thereof, meaning that the cargos always fell within the petroleum exclusion from the definition of hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act ('CERCLA'). No claim has been presented to Higman that any release of cargo ever occurred from a Higman Barge, nor has any claim been made (and certainly no demonstration) that any non-petroleum substance was released from a Higman barge (or other vessel) at the Palmer site. On the contrary, the Chemicals of Potential Concern ('COPCs') at the site and which drive the remediation are aldrin, benzo(a)pyrene, benzo(a)anthracene, dieldren, heptachlor epoxide, naphthalene, pentachlorophenol, lead, butyl, benzyl phthalate, 4,4-DDD, 4,4-DDT and methoxychlor (some of which were commingled). Each of these hazardous substances other than (naphthalene and lead) is a chemically synthesized product, not a material that naturally occurs in petroleum. Naphthalene is produced in the fractional distillation of coal tar and would not be expected in a barge used to haul petroleum. Lead is clearly not a component of petroleum.

The EPA has previously recognized that Higman was not a Palmer site PRP because of the petroleum exclusion per letter from Region 6 dated July 21, 2002. The reason given for EPA's change of position is that a court cases referred to by the Office of Regional Counsel as 'the Voda case' has determined that VGO and heavy fuel oil are outside the petroleum exclusion. No citation for the 'Voda case' has been provided and it has not been located after considerable legal research. This holding is a radical departure from the statutory language, EPA interpretation of the exclusion and long understanding of the petroleum exclusion. I urgently

EXHIBIT 7

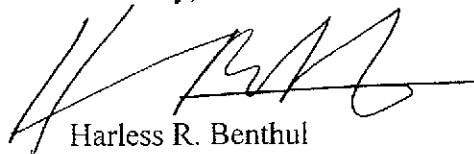
request that an authoritative reference to the "Voda case" be promptly furnished so that it may be analyzed. Absent that, we must question whether it exists and if not, EPA should immediately abandon its claim that VGO and heavy oils are outside the petroleum exclusion and adopt its prior position.

Additionally, given that Higman's only commerce with the Palmer site involved petroleum barges and that the COPC's are intimately, if not totally associated with chemical barges, EPA should immediately release Higman from the terms of the UAO. Assuming, *arguendo*, that Higman could in any way be shown to have arranger or other Section 107(a) liability, Higman nonetheless is entitled to demonstrate that any residual or other material associated with Higman that may have come to rest at the Palmer site could not have caused or contributed to environmental harm at the site based on the COPC's as evidence of the harm. See *U.S. v. Alcan Aluminum*, 990 F. 2d 711 (2nd Cir. 1993) and *U.S. v. Alcan Aluminum*, 964 F2d 252 (3rd Cir. 1992) holding that a PRP is entitled to demonstrate, in the context of divisibility of harm, that material attributable to him could not have caused harm. See also, *Amoco Oil Co. v. Borden*, 889 F2d 664 (5th Cir. 1989) holding that a plaintiff may not recover response costs unless the release posed a threat to the public or the environment.

I respectfully request that EPA release Higman from the UAO for the reasons stated herein, because it is the legally correct resolution of this matter as it applies to Higman and because it is reasonable and fair in the interest of not visiting Superfund's unfairness on a party that does not deserve it. In the alternative, I request that you defer the response date applicable to Higman for at least sixty (60) days so the "Voda case" can be produced and analysed by Higman and the demonstration posed by the Alcan cases may be made, if necessary.

I and other representatives of Higman are available to discuss the matters contained herein, at your early convenience.

Sincerely,



Harless R. Benthul

HB

cc: Kyle Shaw via facsimile
David James " "
Joseph Compton III via facsimile

HARLESS R. BENTHUL

ATTORNEY
LYRIC CENTRE
440 LOUISIANA, SUITE 600
HOUSTON, TEXAS 77002

PHONE: 713-223-0030

FAX: 713-223-0026

June 11, 2007

Via U.S. Mail and Facsimile at 214-665-6660

Mr. Carlos Sanchez
Remedial Project Manager
Superfund Program (6SF-AP)
U.S. Environmental Protection Agency
1445 Ross Ave.
Dallas, TX 75202-2733

Re: Palmer Barge Line Superfund Site, Port Arthur, Jefferson, Texas ("Palmer site")

Dear Mr. Sanchez:

I represent Higman Barge Lines, Inc. ("Higman") which was recently served with a Unilateral Administrative Order ("UAO") regarding the referenced site. The UAO requires respondents, including Higman, to commit to implementing the RD and RA by June 11, 2007. Higman continues to insist that the UAO should be withdrawn, as applied to Higman, for the reasons identified in my June 7, 2007, letter to Mr. Sam Coleman, P.E. (Copy enclosed). Higman has not been shown to be a PRP.

Higman's response to paragraph 29 of the UAO is as follows. Higman is in discussions with Mr. Carl Everett, the representative of the PRP group identified at the May 31, 2007 meeting with EPA, leading to participating in performance of the RD and RA. That participation is, however, with full reservation of Higman's right to challenge the UAO and its applicability to Higman in every appropriate fora, including recovery of costs so expended from appropriate sources including but not limited to the Superfund in accordance with Section 106(b) of CERCLA (42 U.S. C. 9606(b)) and from other PRP's as appropriate

I and other representatives of Higman are available to discuss the matters contained herein, at your convenience.

Sincerely,



Harless R. Benthul

EXHIBIT 8

HBL
CHECK REQUEST

A 005-09-9200

E-547

PAYABLE TO: Saul Ewing LLP DATE: 10-4-07ADDRESS: 3800 Centre Square West AMOUNT: \$75,000.001500 Market St.Philadelphia, PA 19102-2186

EXPLANATION: _____

Palmer Barge Site SettlementCK# 2509CODING

AFE _____

ACCOUNT NO.AMOUNT0000-8500-1000\$ 75,000.00\$\$\$\$\$\$\$\$\$

REQUESTED BY: Gretchen R. Tharp

APPROVED BY: _____

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

871645013200
1044000037310\11\2007

2509

HIGHMAN BARGE LINES, INC.
1980 POST OAK BLVD., STE. 1101
HOUSTON, TX 77055

BANK ONE.
Bank One, Texas (DA - Ho 3000)
980 Travis - P.O. Box 2025
Houston, Texas 77252-0205

32-11
1110 T01

DATE October 4, 2007

PAY ***Sevanty five thousand and 00/100***** DOLLARS \$ 75,000.00

TO
THE
ORDER
OF

Saul Ewing LLP
3800 Centre Square West
1500 Market St.
Philadelphia, PA 19102-2186

Ernestham Perez

002507 0111000614C *1626708156* *0007500000*

0002509 14:11 10006 14: 18 26 708 156 000075000000

[illegible]



September 29, 2007 through October 31, 2007

Account Number: [REDACTED]

CHECKS PAID

CHECK NUMBER	DATE PAID	AMOUNT	CHECK NUMBER	DATE PAID	AMOUNT
2508	10/05	\$310.50	25389	10/23	523.30
2509	10/11	75,000.00	25390	10/15	3,547.43
2510	10/19	310.50	25391	10/15	165.79
25383	10/04	252.01	25392	10/15	2,560.26
25384	10/02	10,438.22	25393	10/30	105.99
25386	10/18	51.48	25394	10/25	3,368.75
25387	10/15	259.19	25396	10/26	1,113.97
25388	10/17	151.35			

Total Checks Paid **\$98,158.74**

* Checks may not appear on your bank statement because they have not yet cleared or appeared on a previous statement. Checks that cleared as an electronic withdrawal will be listed in the Electronic Withdrawals section of the statement. All checks included in the Checks Paid section are viewable as images on Chase.com.

ELECTRONIC WITHDRAWALS

DATE	DESCRIPTION	AMOUNT
10/04	Orig CO Name: Higman Barge Orig ID: 1741337503 Desc Date: Offset CO Entry Desc: Payroll Sec: CCD Trace#: 021000025909797 Eed: 071004 Ind ID: 1741337503 Ind Name: EFT File Name: Zwe06A EFT/ACH Created Offset For Origin#: 100004300 CO Eff Date: 07/10/04 4	\$1,029.93
10/10	Orig CO Name: Irs Orig ID: 3387702000 Desc Date: 101007 CO Entry Desc: Usataxpymtsec: CCD Trace#: 021000029312411 Eed: 071010 Ind ID: 220768300900716 Ind Name: Higman Barge Lines Inc Trn: 2839312411Tc	511.32
10/16	Orig CO Name: Jxworkforcecomm Orig ID: 2146000320 Desc Date: 071015 CO Entry Desc: Debit Sec: CCD Trace#: 021000023021723 Eed: 071016 Ind ID: (512)463-2611 Ind Name: Two	26.85
10/17	Orig CO Name: Irs Orig ID: 3387702000 Desc Date: 101707 CO Entry Desc: Usataxpymtsec: CCD Trace#: 021000023673884 Eed: 071017 Ind ID: 220769000897604 Ind Name: Higman Barge Lines Inc Trn: 2903673884Tc	33.57
10/18	Orig CO Name: Higman Barge Orig ID: 1741337503 Desc Date: Offset CO Entry Desc: Payroll Sec: CCD Trace#: 021000028993434 Eed: 071018 Ind ID: 1741337503 Ind Name: EFT File Name: Zwe8S3 EFT/ACH Created Offset For Origin#: 100004300 CO Eff Date: 07/10/18 8	528.30
10/24	Orig CO Name: Irs Orig ID: 3387702000 Desc Date: 102407 CO Entry Desc: Usataxpymtsec: CCD Trace#: 021000028082151 Eed: 071024 Ind ID: 220769700250110 Ind Name: Higman Barge Lines Inc Trn: 2978082151Tc	269.32

Total Electronic Withdrawals **\$2,399.29**

Your service charges, fees and earnings credit have been calculated through account analysis.

DAILY ENDING BALANCE

DATE	AMOUNT	DATE	AMOUNT
10/01	\$188,697.87	10/05	176,667.21
10/02	178,259.65	10/09	185,667.21
10/04	176,977.71	10/10	185,155.89

10055020200000042

30531022180050550262