

CONFIDENTIALITY ACKNOWLEDGMENT

- A. Clients have asked that _____ (“Consultant”) review and evaluate certain documents and information in conjunction with Client’s investigation of claims and/or lawsuits with respect to environmental contamination and other liabilities concerning Plaintiff.
- B. In the course of this investigation, Plaintiff may provide Client or Consultant with information that is not available to the general public or is otherwise confidential, such as information which has been prepared solely for the purpose of settling this coverage dispute between Plaintiff and Client.
- C. Consultant hereby agrees that all such information will be used only in connection with Client’s investigation or as otherwise directed by Client. Consultant agrees that all information it receives from Plaintiff be held and treated by it, its agents, employees and representatives in strict confidence and will not, without prior written consent of a representation of Plaintiff be disclosed by it or its agents, employees or representatives in any manner whatsoever, in whole or in part, and will not be used by it or its agents, employees or representatives other than in connection with the investigation of claims and/or lawsuits with respect to environmental contamination and other liabilities concerning Plaintiff.
- D. Consultant further agrees (a) not to disclose such information except to its agents, employees or representatives who need to know the information for purposes of participation in Client’s investigation, each of whom will be advised by Consultant of this Acknowledgment, and agree in writing (by signing below) to act in accordance with the terms of this Acknowledgment and (2) otherwise not to disclose such information except to the extent required by applicable law or regulation.
- E. In the event that Consultant is required by law (by oral questions, interrogatories, requests for information or documents, subpoena, civil or administrative investigative demand, or other legal process) to disclose any information subject to this acknowledgment, it is agreed that Consultant will provide Plaintiff and the Client with prompt notice of such request or requirement so that it may seek an appropriate protective order, to the extent it deems necessary. Consultant will assist Plaintiff and the Client to obtain an appropriate protective order or other reliable assurance that confidential treatment will be accorded any information disclosed.

First executed by a duly authorized officer of Consultant this _____ day of _____, 1999.

By: _____

Title: _____