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AT 8:30
WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE ROYAL DUTCH/SHELL)
TRANSPORT SECURITIES)
LITIGATION)
_____)

Civ. No. 04-374 (JAP)
(Consolidated Cases)
Hon. Joel A. Pisano

(Document electronically filed)

DECLARATION OF NICHOLAS H. POLITAN

I, NICHOLAS H. POLITAN, declare and say:

1. I am a retired United States District Judge for the District of New Jersey. I am a member of the Bar of the State of New Jersey and of this Court.

2. Except as otherwise stated, I make this Declaration on personal knowledge and pursuant to the provisions of Fed. R. Civ. P. 53(b)(3) in connection with my proposed appointment as a Special Master in the above-captioned litigation.

3. I am not aware of any disqualifying ground under 28 U.S.C. § 455 that might prevent me from serving as a Special Master in this action. Without limiting the foregoing, I note that (i) I do not have personal knowledge of disputed evidentiary facts concerning this action; (ii) I have never served as or worked with a lawyer in private practice in connection with this action; (iii) I do not have any financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding, and neither does my wife or any minor child residing in my household, and (iv) I do not have, nor does my wife or a person within the third degree of relationship to my wife or to me have, any type of interest or involvement described in 28 U.S.C. § 455(b)(5).

4. Although 28 U.S.C. § 455 does not appear to cover this issue, I note for the sake of full disclosure that, at the request of Lead Plaintiffs and defendants Royal Dutch Petroleum Company and The "Shell" Transport and Trading Company, p.l.c. (collectively, "Shell"), I have served as a mediator in this action. My service as a mediator has been governed by a Mediation Agreement, dated July 17, 2006, signed by counsel for Lead Plaintiffs and for Shell. My only knowledge of any evidentiary facts concerning this action has come through my service as a mediator. To the extent that any of the terms of the Mediation Agreement could be construed to prevent me from serving as a Special Master (and I do not believe any of them do so), I understand that Lead Plaintiffs and Shell have agreed to waive any such restrictions.

5. I declare under penalty of perjury that the foregoing is true and correct.

Dated: Roseland, New Jersey
May 22, 2007



Nicholas H. Politan