

EXHIBIT A



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

ECONOMIC JUSTICE DIVISION
ANTITRUST BUREAU

September 15, 2009

**BY EMAIL
AND FIRST CLASS MAIL**

Jeffrey A. Wadsworth
Harter Secrest & Emery, LLP
1600 Bausch & Lomb Place
Rochester, NY 14604-2711

Re: Acceptance of Subpoena Duces Tecum on behalf of United Refining, Co.

Dear Mr. Wadsworth:

Please sign below to confirm that you accept service of the enclosed Subpoena Duces Tecum and Subpoena Ad Testificandum served on United Refining Co. In addition, we request that United Refining Co. comply fully with the Subpoena Duces Tecum served on United Refining Co. on July 24, 2009, by Tuesday, September 29, 2009, at 5:00pm

Please sign below and fax a return copy to me at (212) 416-6015 and mail the original for our records. If you have any questions, please contact me at (212) 416-8598 or GERALYN TRUJILLO at (212) 416-6677. Thank you.

Very truly yours,

A handwritten signature in black ink that reads "Sarah M. Hubbard" followed by a circled "11".

Sarah M. Hubbard
Assistant Attorney General
Antitrust Bureau

Enclosures

Acceptance of Subpoena Duces Tecum &
Subpoena Ad Testificandum, dated September 15, 2009, by:
United Refining Co.

By: Jeffrey A. Wadsworth

under oath by individuals designated and authorized to testify on behalf of United Refining Co. concerning the following matters, on September 21, 2009 at 10:00 a.m.

1. The document search conducted by United Refining Co. in response to the November 25 and 26, 2008, New York Attorney General subpoenas to the company and in response to all requests made pursuant to such subpoenas.
2. The document search conducted by United Refining Co. in response to the July 24, 2009, New York Attorney General subpoena to the company and in response to all requests made pursuant to such subpoena.
3. United Refining Co.'s customary business practices and procedures regarding the retention, destruction, back up, and storage of electronic and hard copy documents.
4. United Refining Co.'s practices regarding the retention, destruction, back up, and storage of electronic and hard copy documents during the period January 1, 2008 to the present.
5. Any changes to United Refining Co.'s practices regarding the retention, destruction, back up, and storage of electronic and hard copy documents upon receipt of the November 25 and 26, 2008, New York Attorney General subpoenas to the company.
6. The changes made to United Refining Co.'s e-mail system that caused the "significant lapse in the company's back-up tape files" in 2008, as referred to in your letter to Sarah M. Hubbard, dated September 10, 2009.

PLEASE TAKE NOTICE that the Attorney General deems seeking the information to be in the public interest, and deems the information sought relevant and material to a confidential investigation concerning possible violations of New York General Business Law § 340, Executive Law § 63(12), Sections 1 & 2 of the Sherman Act, 15 U.S.C. §§ 1-2, and related statutes.

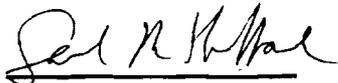
PLEASE TAKE NOTICE that your failure to comply fully with this subpoena on the date, time and place stated above, or at an agreed upon adjourned date and time, may subject you to prosecution for a misdemeanor or civil contempt proceedings pursuant to General Business Law § 343 and New York Civil Practice Law and Rules § 2308.

PLEASE TAKE NOTICE that the Attorney General designates, for purposes of jurisdiction and venue, in any action or proceeding (a "Case") arising out of this subpoena or the investigation in which this subpoena is issued, including any Case alleging a violation of law or seeking to enforce this subpoena: (a) the Supreme Court of the State of New York, County of New York; or (b) alternatively, any other Court of competent jurisdiction.

WITNESS ANDREW M. CUOMO, Attorney General of the State of New York, this

15th day of September, 2009.

ANDREW M. CUOMO
Attorney General of the
State of New York

By: 

Sarah M. Hubbard
Assistant Attorney General
Antitrust Bureau
120 Broadway, Suite 26C
New York, New York 10271-0332

**PLEASE DIRECT ALL INQUIRIES CONCERNING THIS SUBPOENA TO ASSISTANT
ATTORNEY GENERAL SALLY HUBBARD AT (212) 416-8598 OR ASSISTANT
ATTORNEY GENERAL GERALYN TRUJILLO AT (212) 416-6677.**

INSTRUCTIONS AND DEFINITIONS

1. "United Refining Co." means United Refining Co. and (i) its directors, officers, agents, employees, attorneys, or any other person acting on its behalf and (ii) any predecessor, successor, parent corporation, subsidiary, division, or affiliate, wherever located.
2. "Gasoline" means any petroleum product used for the propulsion of any motor vehicle.
3. "Document" is used herein in the broadest sense of the term and means each and every writing or graphic matter of whatever nature, whether an original, a draft, or a copy, including all non-identical copies, however produced or reproduced, whether or not sent or received, and each and every tangible thing from which information can be processed or transcribed, such as tape or other electronic data communications. The term includes but is not limited to letters, records, forms, books, invoices, e-mail messages, e-mail attachments, voicemail messages, checks, bills, receipts, diaries, calendars, logs, journals, notebooks, plans, directives, instructions, analyses, telegrams, studies, contracts, agreements, correspondence, communications, statistics, memoranda, notes, minutes, opinions, reports, summaries, work-sheets, graphs, and charts and any other means by which information is recorded or transmitted, including but not limited to audio, visual, and digital recordings, photographs (positive prints and negatives), slides, films, phonorecords, teletypes, telefax, facsimiles, thermafax, microfilm, punch cards, computer data, printouts and data processing records, translated, if necessary, by the respondent through detection devices into reasonably usable form.
4. "Electronic hard drive" shall include the primary storage unit of a desk top computer, laptop computer and / or other computer devices, consisting of one or more magnetic media platters on which digital data can be written or erased magnetically.

5. "Electronic hard disk" shall include any peripheral data storage device that may be found inside, or attached to, a desktop computer, laptop computer, and other computer devices.

6. "Concerning" means referring to, related to, describing, reflecting, regarding, evidencing, recording, memorializing, comprising, constituting, or supporting, directly or indirectly.

7. The terms "and" and "or" should be construed conjunctively or disjunctively, whichever makes the request more inclusive.

8. The terms "any" and "all" should be construed as "any and all."

9. The use of the singular form of any word includes the plural and vice versa.

10. For purposes of this subpoena duces tecum, the time period applicable to the following requests is January 1, 2008, to the present ("the applicable time period") unless otherwise noted. A request for a schedule, agreement, or other document for the applicable time period encompasses any schedule, agreement, or other document created, in use, or in effect during any part of the applicable time period. Production is also required if a specific request pre-dates the applicable time period.

11. Each document submitted in compliance herewith should be numbered consecutively on the face of the document and should clearly identify the paragraph of the subpoena to which the document is responsive, unless original documents are being produced for inspection and copying. All copies of original documents should be legible in their entirety and produced electronically, preferably in a single page .tif format that is readable by Concordance with Opticon. The load file should include the following categories: begin doc, end doc, page count and the corresponding Optical Character Recognition ("OCR") text file.

12. If any document the production of which is called for by this subpoena duces tecum is withheld on the ground of purported privilege, for each such document please provide the following information in writing on the return date of this subpoena:

- (i) the purported legal ground for withholding the document;
- (ii) the type of document;
- (iii) the general subject matter of the document;
- (iv) the date of the document;
- (v) the author of the document;
- (vi) all recipients of the document; and
- (vii) such other information as is sufficient to identify the document for a motion to a court to compel its production.

13. If any of the documents called for in this subpoena have been produced to any individual, organization, corporation, governmental agency, or any other entity, please provide the Attorney General with a description of such documents and the individual(s) or entity(s) to which such documents have been produced.

14. If any of the documents called for in this subpoena have previously been produced to the Attorney General, please identify by Bates number (i) each such document and (ii) the subpoena call to which the document is responsive.

15. The response to this subpoena duces tecum shall be continuing in nature so as to require a supplemental response in the event that, after responding to any individual request, you obtain or become aware of additional information responsive to any request.

DOCUMENTS TO BE PRODUCED

1. All e-mails and e-mail attachments sent or received in the calendar year 2009 by (a) all employees of United Refining Co. who have any involvement and / or responsibility for the retail pricing of gasoline and, and (b) the following individuals (to the extent not included in section (a) of this paragraph):

Ashton Ditka
Pete Conley
Greg Latimer
John Schwanke
Roy Williams
John Conley
Paul Rankin
Jim Kupniewski
P. Williams
D. Bullock

2. All telephone, including mobile telephone, records including, but not limited to, all telephone billing records sufficient to show telephone calls made or received by (a) all employees of United Refining Co. who have any involvement and / or responsibility for the retail pricing of gasoline and (b) each individual listed in Paragraph 1(b) above (to the extent not included in section (a) of this paragraph).

3. All electronic and / or hardcopy calendars, appointment books, business diaries, and / or any similar documents utilized and maintained by (a) all employees of United Refining Co. who have any involvement and / or responsibility for the retail pricing of gasoline and (b) each individual listed in Paragraph 1(b) above (to the extent not included in section (a) of this paragraph).

4. All electronic hard drives and electronic hard disks utilized by (a) all employees of United Refining Co. who have any involvement and / or responsibility for the retail pricing of

gasoline and (b) each individual listed in Paragraph 1(b) above (to the extent not included in section (a) of this paragraph).

EXHIBIT B

SPEND \$50, GET FREE SHIPPING in Women's.

Shop Maternity by Liz Lange >

The Buffalo News

Tuesday, September 29, 2009

Make us your homepage!

[Home](#) > [Yahoo Feeds](#) > [Yahoo - Local News](#)

Schumer, Higgins urge federal probe of gas prices

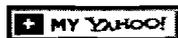
By Robert J. McCarthy

News Political Reporter

Updated: January 27, 2009, 4:07 PM / 0 comments

Story tools:**Related Stories**

- Gas prices on the rise in WNY

Share this story:

The new head of the Federal Trade Commission should make investigating Western New York's sky-high gasoline prices a top priority, two federal lawmakers said today.

Sen. Charles E. Schumer and Rep. Brian Higgins of Buffalo, both Democrats, appeared across the street from a Mobil gas station in Cheektowaga this morning to call on the new Obama administration to speed up its probe of high gas prices. Schumer said he and Higgins will "fight tooth and nail" to make sure the commission determines why the Buffalo area's gasoline prices were as much as 38 cents per gallon higher than prices in Syracuse or Albany in 2008.

"Something is rotten in the way gas is priced here," Schumer said.

The senator and the congressman both said they will ask the FTC to speed up the investigation Higgins originally requested last year. They said they will ask for a detailed report of its findings and request actions and remedies to address the problem.

While Buffalo gas prices — again on the rise — are now more in line with national and statewide averages, Schumer and Higgins said they still want the FTC to determine what caused the disparity that stretched into December.

"It's taken over three months for Western New York gas prices to fall in line with the rest of the states," Schumer said. "Something is wrong.

"The worst of it is, we don't know why it happened," he added.

The senator said he did not want to publicly say the words he has in mind for the job the FTC under the Bush administration has done in investigating the situation.

"The history of the previous FTC is that they regarded the oil companies as demi-gods," he said. "They worshipped at their feet and did not go after them."

He said he and Higgins will make sure the new administration's nominee for FTC chairman will promise to prove the Western New York situation before a confirmation vote he expects by March 1.

rmccarthy@buffnews.com

Reader comments

There are no comments on this article.
You must be logged in to comment on or rate articles.

Rate This
Article
No votes yet.

Comments are moderated by users and Buffalo News staff.
Learn more about our moderation system.
Log into MyBuffalo to post a comment

MyBuffalo user: Password:

[Forgot your password?](#)

What is MyBuffalo?

MyBuffalo is the new social network from Buffalo.com. Your MyBuffalo account lets you comment on and rate stories at buffalonews.com. You can also head over to mybuffalo.com to share your blog posts, stories, photos, and videos with the community. [Join now](#) or [learn more](#).

sort comments: newest first / oldest first

© 2009 The Buffalo News. The information you receive online from The Buffalo News is protected by the copyright laws of the United States.

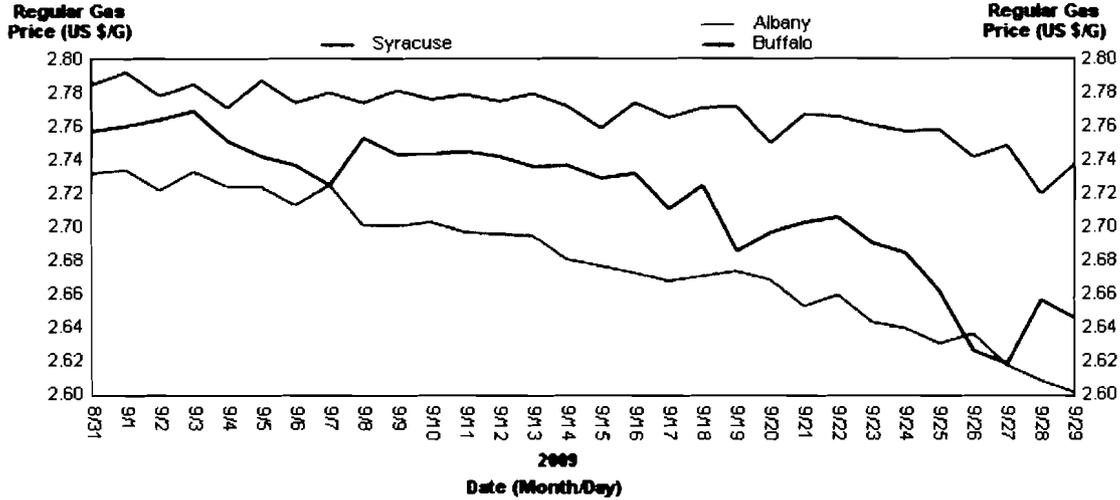
The copyright laws prohibit any copying, redistributing, re-transmitting, or re-purposing of any copyright-protected material.

EXHIBIT C

Historical Price Charts

Quick charts: [1 Month](#) | [3 Month](#) | [6 Month](#) | [9 Month](#) | [1 Year](#) | [18 month](#) | [2 Years](#) | [3 Years](#) | [4 Years](#) | [5 Years](#) | [6 Years](#)

1 Month Average Retail Price Chart



[Add these dynamic charts to your website](#) [Link to this Chart](#)

Customize Price Charts

Area 1: Time Period:

Area 2: Show Crude Oil Price

Area 3:

Step One - Select a single city in order to identify price trends or to identify a historical price most accurately. Select multiple cities to compare pump prices between cities.

Step Two - Selection of time duration will define how long into history the prices will be displayed. In some cities only limited price history information is available and in those cases the line will be flat for extended periods.

Step Three - When comparing US cities to Canadian cities you have a choice of price units. The standard unit of measure in the US is dollars per gallon and in Canada the standard is cents/liter. Comparison of US and Canadian cities is done using recent currency exchange rates and uses the conversion factor of 1 US gallon being equal to 3.78 liters. For simple plotting of US cities use dollars per gallon (\$/G) and for simple plotting of Canadian cities use cents/liter (c/L).

Step Four - Click the "Create Chart!" button to create the chart.

EXHIBIT D

MODE = MEMORY TRANSMISSION START=NOV-25 18:36 END=NOV-25 18:38
FILE NO.=589

STN NO. COMM. ABBR NO. STATION NAME/TEL NO. PAGES DURATION
001 OK 918147268012 011/011 00:01:37

-NYS

***** -NYS LAW - ***** 212 416 6015- *****



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ANDREW M. CUOMO

FACSIMILE TRANSMISSION

DATE: November 25, 2008 NUMBER OF PAGES: 11
(INCLUDING THIS PAGE)

TO: **Kwik Fill** (716) 674-4077

FROM: **Sarah Hubbard**
Assistant Attorney General

REMARKS:

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT

NAME Yvonne OFFICE Antitrust Bureau

TELEPHONE NO. (212) 416-8265 FAX NO. (212) 416-6015

CONFIDENTIAL

The information contained in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this is strictly prohibited.

*IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.*

120 BROADWAY, NEW YORK, NY 10271-0332



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

DARCY M. GODDARD
Assistant Attorney General

November 25, 2008

BY FACSIMILE (716.674.4077)

Kwik Fill
3850 Clinton St.
Buffalo, NY 14224

Re: In the Matter of the Investigation by Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

Dear Sir or Madam:

Enclosed please find a subpoena ad testificandum and subpoena duces tecum served in connection with the above-referenced investigation. Please advise me in writing by no later than 5:00 p.m. on November 26, 2008, whether you will accept service of these subpoenas by facsimile.

Very truly yours,

Darcy M. Goddard
Assistant Attorney General

Enclosures

cc (w/encl.):

Kwik Fill Retail Headquarters
814 Lexington Avenue
P.O. Box 808
Warren, PA 16365
Facsimile: 814.726.8012

PLEASE TAKE NOTICE that the Attorney General deems the testimony requested by this Subpoena to be relevant and material to an investigation and inquiry undertaken in the public interest.

PLEASE TAKE FURTHER NOTICE that under the provisions of Article 23 of the CPLR, you are bound by this Subpoena to appear on the date specified above, or any adjourned date. For a failure to comply, you may be liable, in addition to any other lawful punishment, for the damages sustained by the State of New York, and for a penalty not to exceed fifty dollars (\$50.00).

WITNESS, Honorable ANDREW M. CUOMO, Attorney General of the State of New York, this 25th day of November, 2008.

ANDREW M. CUOMO
Attorney General of the
State of New York
120 Broadway, 23rd Floor
New York, New York 10271-0332

By: 
Darcy M. Goddard
212.416.8355
Assistant Attorney General

SCHEDULE A

1. Any communications, agreements, or arrangements between Kwik Fill and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.
2. Kwik Fill's pricing of gasoline products.
3. The pricing of gasoline products by Kwik Fill's competitors.
4. Any communications, agreements, or arrangements between Kwik Fill and any of Kwik Fill's customers concerning the retail price of gasoline products.
5. Any communications, agreements, or arrangements between Kwik Fill and any of Kwik Fill's suppliers concerning the prices that Kwik Fill should or must charge its customers for gasoline products.
6. Kwik Fill's revenue and profits (gross and net) for the applicable period.

INSTRUCTIONS AND DEFINITIONS

1. “Kwik Fill” means Kwik Fill and (i) its directors, officers, agents, employees, attorneys, or any other person acting on its behalf and (ii) any predecessor, successor, parent corporation, subsidiary, division, or affiliate.

2. “Agreement” shall include any contract, memorandum of intent, letter of intent, terms sheet, framework agreement, outline agreement, and any amendment or modification, predecessor and superceding agreement, and any other agreement or understanding referenced in or ancillary to the agreement.

3. “Gasoline product” means any petroleum product used for the propulsion of any motor vehicle.

4. “Document” is used herein in the broadest sense of the term and means each and every writing or graphic matter of whatever nature, whether an original, a draft, or a copy, including all non-identical copies, however produced or reproduced, whether or not sent or received, and each and every tangible thing from which information can be processed or transcribed, such as tape or other electronic data communications. The term includes but is not limited to letters, records, forms, books, invoices, e-mail messages, voicemail messages, checks, bills, receipts, diaries, calendars, logs, journals, notebooks, plans, directives, instructions, analyses, telegrams, studies, contracts, agreements, correspondence, communications, statistics, memoranda, notes, minutes, opinions, reports, summaries, work-sheets, graphs, and charts and any other means by which information is recorded or transmitted, including but not limited to audio, visual, and digital recordings, photographs (positive prints and negatives), slides, films, phonorecords, teletypes, telefax, facsimiles, thermafax, microfilm, punch cards, computer data,

printouts and data processing records, translated, if necessary, by the respondent through detection devices into reasonably usable form.

5. “Concerning” means referring to, related to, describing, reflecting, regarding, evidencing, recording, memorializing, comprising, constituting, or supporting, directly or indirectly.

6. The terms “and” and “or” should be construed conjunctively or disjunctively, whichever makes the request more inclusive.

7. The terms “any” and “all” should be construed as “any and all.”

8. The use of the singular form of any word includes the plural and vice versa.

9. For purposes of this subpoena duces tecum, the time period applicable to the following requests is January 1, 2008, to the present (“the applicable time period”) unless otherwise noted. A request for a schedule, agreement, or other document for the applicable time period encompasses any schedule, agreement, or other document created, in use, or in effect during any part of the applicable time period. Production is also required if a specific request pre-dates the applicable time period.

10. Each document submitted in compliance herewith should be numbered consecutively on the face of the document and should clearly identify the paragraph of the subpoena to which the document is responsive, unless original documents are being produced for inspection and copying. Copies of original documents should be legible in their entirety.

11. If any document the production of which is called for by this subpoena duces tecum is withheld on the ground of purported privilege, for each such document please provide the following information in writing on the return date of this subpoena:

- (i) the purported legal ground for withholding the document;
- (ii) the type of document;
- (iii) the general subject matter of the document;
- (iv) the date of the document;
- (v) the author of the document;
- (vi) all recipients of the document; and
- (vii) such other information as is sufficient to identify the document for a motion to a court to compel its production.

12. If any of the documents called for in this subpoena have been produced to any individual, organization, corporation, governmental agency, or any other entity, please provide the Attorney General with a description of such documents and the individual(s) or entity(s) to which such documents have been produced.

13. If any of the documents called for in this subpoena have previously been produced to the Attorney General, please identify by Bates number (i) each such document and (ii) the subpoena call to which the document is responsive.

14. The response to this subpoena duces tecum shall be continuing in nature so as to require a supplemental response in the event that, after responding to any individual request, you obtain or become aware of additional information responsive to any request.

DOCUMENTS TO BE PRODUCED

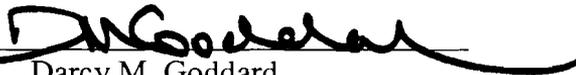
1. All documents concerning any communications, agreements, or arrangements between Kwik Fill and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.
2. All documents concerning Kwik Fill's pricing of gasoline products.
3. All documents concerning the pricing of gasoline products by Kwik Fill's competitors.
4. All documents concerning any communications, agreements, or arrangements between Kwik Fill and any of Kwik Fill's customers concerning the retail price of gasoline products.
5. All documents concerning any communications, agreements, or arrangements between Kwik Fill and any of Kwik Fill's suppliers concerning the prices that Kwik Fill should or must charge its customers for gasoline products.
6. Documents sufficient to show Kwik Fill's revenue and profits (gross and net) for the applicable period.

Under the provisions of Article 23 of the CPLR, you are bound by this subpoena to produce the requested items. For a failure to attend on the date specified above, or any adjourned date, and to produce the items specified, you may be liable, in addition to any other lawful punishment, for the damages sustained by the State of New York, and for a penalty not to exceed fifty dollars (\$50.00).

WITNESS, Honorable ANDREW M. CUOMO, Attorney General of the State of New York, the 25th day of November, 2008.

ANDREW M. CUOMO
Attorney General of the
State of New York
120 Broadway
New York, New York 10271-0332

By:



Darcy M. Goddard
212.416.8355
Assistant Attorney General

MODE = MEMORY TRANSMISSION

START=NOV-26 14:43

END=NOV-26 14:45

FILE NO.=596

| STN NO. | COMM. | ABBR NO. | STATION NAME/TEL NO. | PAGES | DURATION |
|---------|-------|----------|----------------------|---------|----------|
| 001 | OK | | 917168773825 | 011/011 | 00:01:49 |

-NYS

***** -NYS LAW - ***** 212 416 6015- *****



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ANDREW M. CUOMO

FACSIMILE TRANSMISSION

DATE: November 26, 2008

NUMBER OF PAGES: 11
(INCLUDING THIS PAGE)

TO: United Refining Co.

(716) 877-3825

FROM: Sarah Hubbard
Assistant Attorney General

REMARKS:

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT

NAME Yvonne

OFFICE Antitrust Bureau

TELEPHONE NO. (212) 416-8265

FAX NO. (212) 416-6015

CONFIDENTIAL

The information contained in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this is strictly prohibited.

*IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.*

120 BROADWAY, NEW YORK, NY 10271-0332



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ANDREW M. CUOMO

FACSIMILE TRANSMISSION

DATE: November 26, 2008

NUMBER OF PAGES: 11
(INCLUDING THIS PAGE)

TO: United Refining Co.

(716) 877-3825

FROM: Sarah Hubbard
Assistant Attorney General

REMARKS:

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT

NAME Yvonne OFFICE Antitrust Bureau

TELEPHONE NO. (212) 416-8265 FAX NO. (212) 416-6015

CONFIDENTIAL

The information contained in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this is strictly prohibited.

*IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.*

120 BROADWAY, NEW YORK, NY 10271-0332



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

DARCY M. GODDARD
Assistant Attorney General

November 26, 2008

BY FACSIMILE

United Refining Co.
4545 River Road
Tonawanda, NY 14150

Re: In the Matter of the Investigation by Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

Dear Sir or Madam:

Enclosed please find a subpoena ad testificandum and subpoena duces tecum served in connection with the above-referenced investigation. Please advise me in writing by no later than 12:00 p.m. on December 1, 2008, whether you will accept service of these subpoenas by facsimile.

Very truly yours,

Darcy M. Goddard
Assistant Attorney General

Enclosures

PLEASE TAKE NOTICE that the Attorney General deems the testimony requested by this Subpoena to be relevant and material to an investigation and inquiry undertaken in the public interest.

PLEASE TAKE FURTHER NOTICE that under the provisions of Article 23 of the CPLR, you are bound by this Subpoena to appear on the date specified above, or any adjourned date. For a failure to comply, you may be liable, in addition to any other lawful punishment, for the damages sustained by the State of New York, and for a penalty not to exceed fifty dollars (\$50.00).

WITNESS, Honorable ANDREW M. CUOMO, Attorney General of the State of New York, this 26th day of November, 2008.

ANDREW M. CUOMO
Attorney General of the
State of New York
120 Broadway, 23rd Floor
New York, New York 10271-0332

By:



Darcy M. Goddard
212.416.8355
Assistant Attorney General

SCHEDULE A

1. Any communications, agreements, or arrangements between United Refining Co. and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.
2. United Refining Co.'s pricing of gasoline products.
3. The pricing of gasoline products by United Refining Co.'s competitors.
4. Any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s customers concerning the retail price of gasoline products.
5. Any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s suppliers concerning the prices that United Refining Co. should or must charge its customers for gasoline products.
6. United Refining Co.'s revenue and profits (gross and net) for the applicable period.

INSTRUCTIONS AND DEFINITIONS

1. “United Refining Co.” means United Refining Co. and (i) its directors, officers, agents, employees, attorneys, or any other person acting on its behalf and (ii) any predecessor, successor, parent corporation, subsidiary, division, or affiliate.
2. “Agreement” shall include any contract, memorandum of intent, letter of intent, terms sheet, framework agreement, outline agreement, and any amendment or modification, predecessor and superceding agreement, and any other agreement or understanding referenced in or ancillary to the agreement.
3. “Gasoline product” means any petroleum product used for the propulsion of any motor vehicle.
4. “Document” is used herein in the broadest sense of the term and means each and every writing or graphic matter of whatever nature, whether an original, a draft, or a copy, including all non-identical copies, however produced or reproduced, whether or not sent or received, and each and every tangible thing from which information can be processed or transcribed, such as tape or other electronic data communications. The term includes but is not limited to letters, records, forms, books, invoices, e-mail messages, voicemail messages, checks, bills, receipts, diaries, calendars, logs, journals, notebooks, plans, directives, instructions, analyses, telegrams, studies, contracts, agreements, correspondence, communications, statistics, memoranda, notes, minutes, opinions, reports, summaries, work-sheets, graphs, and charts and any other means by which information is recorded or transmitted, including but not limited to audio, visual, and digital recordings, photographs (positive prints and negatives), slides, films, phonorecords, teletypes, telefax, facsimiles, thermafax, microfilm, punch cards, computer data,

printouts and data processing records, translated, if necessary, by the respondent through detection devices into reasonably usable form.

5. “Concerning” means referring to, related to, describing, reflecting, regarding, evidencing, recording, memorializing, comprising, constituting, or supporting, directly or indirectly.

6. The terms “and” and “or” should be construed conjunctively or disjunctively, whichever makes the request more inclusive.

7. The terms “any” and “all” should be construed as “any and all.”

8. The use of the singular form of any word includes the plural and vice versa.

9. For purposes of this subpoena duces tecum, the time period applicable to the following requests is January 1, 2008, to the present (“the applicable time period”) unless otherwise noted. A request for a schedule, agreement, or other document for the applicable time period encompasses any schedule, agreement, or other document created, in use, or in effect during any part of the applicable time period. Production is also required if a specific request pre-dates the applicable time period.

10. Each document submitted in compliance herewith should be numbered consecutively on the face of the document and should clearly identify the paragraph of the subpoena to which the document is responsive, unless original documents are being produced for inspection and copying. Copies of original documents should be legible in their entirety.

11. If any document the production of which is called for by this subpoena duces tecum is withheld on the ground of purported privilege, for each such document please provide the following information in writing on the return date of this subpoena:

- (i) the purported legal ground for withholding the document;
- (ii) the type of document;
- (iii) the general subject matter of the document;
- (iv) the date of the document;
- (v) the author of the document;
- (vi) all recipients of the document; and
- (vii) such other information as is sufficient to identify the document for a motion to a court to compel its production.

12. If any of the documents called for in this subpoena have been produced to any individual, organization, corporation, governmental agency, or any other entity, please provide the Attorney General with a description of such documents and the individual(s) or entity(s) to which such documents have been produced.

13. If any of the documents called for in this subpoena have previously been produced to the Attorney General, please identify by Bates number (i) each such document and (ii) the subpoena call to which the document is responsive.

14. The response to this subpoena duces tecum shall be continuing in nature so as to require a supplemental response in the event that, after responding to any individual request, you obtain or become aware of additional information responsive to any request.

DOCUMENTS TO BE PRODUCED

1. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.
2. All documents concerning United Refining Co.'s pricing of gasoline products.
3. All documents concerning the pricing of gasoline products by United Refining Co.'s competitors.
4. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s customers concerning the retail price of gasoline products.
5. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s suppliers concerning the prices that United Refining Co. should or must charge its customers for gasoline products.
6. Documents sufficient to show United Refining Co.'s revenue and profits (gross and net) for the applicable period.

Under the provisions of Article 23 of the CPLR, you are bound by this subpoena to produce the requested items. For a failure to attend on the date specified above, or any adjourned date, and to produce the items specified, you may be liable, in addition to any other lawful punishment, for the damages sustained by the State of New York, and for a penalty not to exceed fifty dollars (\$50.00).

WITNESS, Honorable ANDREW M. CUOMO, Attorney General of the State of New York, the 26th day of November, 2008.

ANDREW M. CUOMO
Attorney General of the
State of New York
120 Broadway
New York, New York 10271-0332

By: 
Darcy M. Goddard
212.416.8355
Assistant Attorney General

EXHIBIT E

**Harter Secret & Emery LLP**

ATTORNEYS AND COUNSELORS

WWW.HSE.LL.P.COM

December 2, 2008

VIA FACSIMILE (212-416-6015)
& UPS OVERNIGHTDarcy M. Goddard
Assistant Attorney General
Office of the Attorney General
State of New York
120 Broadway
23rd Floor
New York, New York 10271-0332Re: Response to Subpoena Ad Testificandum and Subpoena Duces Tecum to Kwik
Fill dated November 25, 2008 and to United Refining Co. dated November 26,
2008

Dear Ms. Goddard:

We represent United Refining Company (the "Company") in connection with the above-referenced matter. The Company is amenable to accept service of the above-captioned Subpoenas received via facsimile transmission on November 26 and 28 respectively and to respond to the requests itemized in each Subpoena Duces Tecum subject to certain conditions and given appropriate time. The conditions are intended to define the scope of the request, insofar as United Refining Company refines and markets petroleum products, including gasoline, in Pennsylvania, New York and Ohio. The affairs of the Company are publicly available via the Company's website at www.urf.com and through the U.S. Securities and Exchange Commission. The Company also seeks a reasonable time to assemble documents responsive to the Subpoenas and to identify the appropriate witnesses for testimony, as well as reasonable protections against disclosure to third parties of its proprietary and confidential information within the scope of the request.

Initially, we require some clarification concerning the parties subject to the Subpoenas. "Kwik Fill" is both a trade name used by the Company for the retail sale of petroleum products and a separate subsidiary corporation which currently holds no assets nor conducts any business. The Company is the ultimate parent of the "Kwik Fill" gasoline stations and convenience stores, among others. We request clarification on what portion of our business is intended to be covered by the Subpoenas. In this regard, please note that the Company's business is separated into retail and wholesale segments in 10Q and 10K filings with the U.S. Securities and Exchange Commission.

Further, the itemized requests 1-6 set forth on the Subpoenas Duces Tecum are not limited geographically and are otherwise broad in terms of the materials sought. Presumably your inquiry is limited to New York State. We therefore seek confirmation of the intended geographic scope as well as whether summaries can be prepared for certain groups of documents in lieu of submission of potentially voluminous material.

Harter Secret & Emery LLP
ATTORNEYS AND COUNSELORS

Darcy M. Goddard
Assistant Attorney General
State of New York
December 2, 2008
Page 2

Following clarification of the scope of the Subpoenas, we propose thirty (30) days to prepare the necessary responsive documents and following your review thereof, to further define the scope of any oral testimony desired.

As stated at the outset, we also seek your agreement with us on limits to the public disclosure of certain information relating to revenue and profit (other than as already made public in the aggregate) and certain of the current and historical price information covered by the Subpoenas. This information is not publicly disclosed and is proprietary in nature. Any public disclosure can be expected to have an injurious effect on the Company's business and its competitive position. Accordingly, we propose an agreement with your office limiting disclosure to third parties of certain of the requested information and confining the use of such information to investigative purposes by your office only.

We believe the foregoing requests are both equitable and reasonable under the circumstances and look forward to further clarifying your requests in order to prepare a complete and comprehensive response. Given the current circumstances, the Company is not in a position to prepare responses to the Subpoenas. The Company is willing to respond to your information request within the parameters outlined herein and with your concurrence.

Please contact me at your convenience to discuss these issues. The Company is ready and willing to provide appropriate and complete responses to the Subpoenas and to cooperate with your office in its investigation.

Very truly yours,

Harter Secret & Emery LLP



Paul D. Sylvestri
Partner

DIRECT DIAL (516) 231-1199
E-MAIL PSYLVESTRI@HSELAW.COM

PDS:mme

cc: Peter H. Abdella, Esq.


Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

December 2, 2008

| TO | COMPANY | TELEPHONE | FACSIMILE |
|--|---------|--------------|--------------|
| Darcy M. Goddard, Assistant Attorney General Antitrust Bureau | | 212-416-8265 | 212-416-6015 |
| For International Faxing | | | |
| CITY CODE | CITY | COUNTRY CODE | COUNTRY |

| FROM | COMPANY | TELEPHONE | FACSIMILE |
|---|----------------------------|----------------|----------------|
| Paul D. Sylvestri - 646 OUR FILE: 084073.1 | Harter Secrest & Emery LLP | (585) 231-1194 | (585) 231-2152 |

TOTAL NUMBER OF PAGES SENT (INCLUDING THIS COVER SHEET) page(s) 3

MESSAGE OR SPECIAL INSTRUCTIONS:

 IF YOU DID NOT RECEIVE THE NUMBER OF PAGES SHOWN ABOVE, OR IF ANY COPIES ARE ILLEGIBLE,
PLEASE CALL THE TELECOMMUNICATIONS OPERATOR AT 585-231-1496

 THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND/OR CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO
DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS
STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL
MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU

EXHIBIT F

Confidentiality Agreement

1. This Confidentiality Agreement ("Agreement") is made by and between the Office of the New York State Attorney General ("OAG") and United Refining Co. ("the Company") and applies to all documents and information provided to OAG by the Company in connection with OAG's subpoenas duces tecum dated November 25, 2008, and November 26, 2008 ("the Subpoenas").
2. Documents and information provided by the Company designated "Confidential" shall be deemed "Confidential Material" for purposes of this Agreement, subject to the following provisions:
 - a. The Company shall designate material "Confidential" only if that material reflects:
 - (i) Information that, if disclosed, would constitute an unwarranted invasion of personal privacy under the provisions of New York Public Officers Law Sec. 89; or
 - (ii) Trade secrets or other confidential information that, if disclosed, would cause substantial injury to the competitive position of the Company, as these terms are used in New York Public Officers Law Sec. 87 (2)(d).
 - b. The Company shall not designate material "Confidential" unless it has a good faith belief that the material falls within one of the two categories set forth in Paragraph 2(a) above.
 - c. No material shall be designated "Confidential" if the material was:
 - (i) Disclosed or otherwise made available to any third party who is not under obligation to maintain its confidentiality; or
 - (ii) Obtained by any third party, through lawful means, who is not under obligation to maintain its confidentiality.
3. Except as provided in this Agreement or as otherwise required by New York's Freedom of Information Law or any other law, OAG shall maintain the confidentiality of any Confidential Material and will not disclose such information to any third party.

4. OAG may disclose Confidential Material:
 - a. In any judicial, legislative or administrative proceeding; or
 - b. To any governmental body within the State of New York, any other State or the United States, if the information relates to matters within the body's jurisdiction; or
 - c. To any other person if OAG determines in good faith that such disclosure:
 - (i) Is required by law, judicial order, decree or ruling; or
 - (ii) Is in the interests of public health or safety; or
 - (iii) Is in furtherance of OAG's discharge of its duties and responsibilities.
5. When the Confidential Material, if any, furnished by the Company in connection with the Subpoenas is no longer needed, OAG agrees to return the originals to the Company on request.
6. Nothing in this Agreement shall preclude OAG from disclosing material that was obtained independently of the Company even if the material was also provided by the Company.
7. No representation, inducement, promise, understanding, condition, or warranty not set forth in this Agreement has been made or relied upon by any party to this Agreement.
8. This Agreement may not be amended except by an instrument in writing signed on behalf of all the parties to this Agreement.
9. This Agreement may be executed in counterparts, each of which shall be considered the same as if a single document shall have been executed, but shall become effective when such counterparts have been signed by each of the parties hereto.

IN WITNESS WHEREOF, this Agreement is executed by the parties hereto on December
____, 2008.

ANDREW M. CUOMO
Attorney General of the State of New York
120 Broadway
New York, New York 10271
Telephone: 212.416.8355

By: _____
Darcy M. Goddard, Esq.
Assistant Attorney General

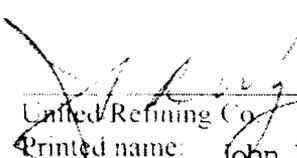
By:  _____
United Refining Co.
Printed name: John R. Wagner
Title: Vice President and General Counsel

EXHIBIT G



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

SARAH M. HUBBARD
Assistant Attorney General

December 11, 2008

BY FACSIMILE (585-232-2152)

Peter H. Abdella
Harter, Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, NY 14604

Re: In the Matter of the Investigation by Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

Dear Peter:

As discussed, the following list clarifies the information requested by this Office's subpoena to United Refining ("you" or "your company") of November 26, 2008. For the time being, this Office will deem production of the materials requested below to constitute compliance with such subpoena, without waiving the right to seek additional information at a later date.

By 12:00 noon on Tuesday, December 16, 2008, please produce the following materials pertaining to your company's operations in Western New York:

- a) A list of all retail locations by county, including each location's address, name, owner, and gasoline brand, if any. For each location, specify whether the location is directly owned or subject to a commissioned marketing agreement and whether the retail price is set by your company.
 - b) Any maps plotting out your company's retail locations.
 - c) The retail prices charged at each of your company's retail locations since January 1, 2008.
 - d) All data reflecting retail pricing surveys of each retail location's competitors since January 1, 2008.
 - e) The number of gallons of gasoline sold by each retail location on a monthly basis since January 1, 2007.
 - f) A list of all of your company's wholesale suppliers since January 1, 2007.
 - g) All contracts between your company and its suppliers of gasoline.
-

- h) All wholesale gasoline purchases by retail location since January 1, 2008, including the supplier from whom the gasoline was purchased, the price paid, and the date and time of each purchase.
- i) The names of all individuals at your company with any responsibility for retail pricing in Western New York.
- j) The cents per gallon gross margin for each retail location on a weekly basis since January 1, 2007.
- k) Profit and loss statements by retail location since January 1, 2007.
- l) Revenues from cigarette sales by retail location on a monthly basis since January 1, 2008.
- m) Total revenues by retail location on a monthly basis since January 1, 2008.

Very truly yours,



Sally Hubbard
Assistant Attorney General

MODE = MEMORY TRANSMISSION

START=DEC-11 16:16

END=DEC-11 16:17

FILE NO. =671

| STN NO. | COMM. | ABBR NO. | STATION NAME/TEL NO. | PAGES | DURATION |
|---------|-------|----------|----------------------|---------|----------|
| 001 | OK | | 915852322152 | 003/003 | 00:00:57 |

-NYS

***** -NYS LAW

- ***** -

212 416 6015- *****



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ANDREW M. CUOMO

FACSIMILE TRANSMISSION

DATE: December 11, 2008

NUMBER OF PAGES: 3
(INCLUDING THIS PAGE)

TO: Peter H. Abdella

(585) 232-2152

FROM: Sarah Hubbard
Assistant Attorney General

REMARKS:

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT

NAME Yvonne OFFICE Antitrust Bureau

TELEPHONE NO. (212) 416-8265 FAX NO. (212) 416-6015

CONFIDENTIAL

The information contained in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this is strictly prohibited.

IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.

120 BROADWAY, NEW YORK, NY 10271-0332

EXHIBIT H



Harter Secret & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

December 15, 2008

Via Facsimile & First Class Mail

Sarah M. Hubbard, Esq.
Assistant Attorney General
120 Broadway
New York, NY 10271

Re: In the Matter of the Investigation of Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

Dear Sally:

This letter is in response to your correspondence dated December 11, 2008, regarding the above. The following are our responses to your additional requests for information from United Refining Company:

- a) *A list of all retail locations by county, including each location's address, name, owner, and gasoline brand, if any. For each location, specify whether the location is directly owned or subject to a commissioned marketing agreement and whether the retail price is set by your company.*

Response to Request a): At our meeting last Tuesday, December 9, 2008, in Buffalo, we provided you with a list of all Kwik Fill retail locations, addresses, and counties, in the State of New York. All of these locations are directly owned by United Refining Company ("URC" or the "Company") or one of its affiliates. The retail price at the Kwik Fill stores is set by the Company. If you need additional information regarding our retail locations, we would ask that you specify further the exact information that you are looking for beyond the list that we provided to you last week.

- b) *Any maps plotting out your company's retail locations.*

Response to Request b): A map of the Kwik Fill retail locations is available from the Kwik Fill website which is www.kwikfill.com. Also enclosed is a copy of the map from the website.

- c) *The retail prices charged at each of your company's retail locations since January 1, 2008.*

Response to Request c): We will provide this information to you as we had discussed at last week's meeting.

- d) *All data reflecting retail pricing surveys of each retail location's competitors since January 1, 2008.*

December 15, 2008

Page 2

Response to Request d): We will provide this information to you as we had discussed at last week's meeting.

e) The number of gallons of gasoline sold by each retail location on a monthly basis since January 1, 2007.

Response to Request e): We will provide this information to you as we had discussed at last week's meeting.

f) A list of all of your company's wholesale suppliers since January 1, 2007.

Response to Request f): The Company does not have its own wholesale suppliers.

g) All contracts between your company and its suppliers of gasoline.

Response to Request g): Again, the Company does not have its own wholesale suppliers.

h) All wholesale gasoline purchases by retail location since January 1, 2008, including the supplier from whom the gasoline was purchased, the price paid, and the date and time of each purchase.

Response to Request h): As we discussed at our meeting last week, URC supplies the gasoline that is sold at the Kwik Fill retail stores. These stores do not make gasoline purchases. However, as Mr. Wagner indicated to you, there are wholesale exchanges that occur between URC and other companies and gasoline which is obtained through wholesale exchange may be sold at Kwik Fill locations.

i) The names of all individuals at your company with any responsibility for retail pricing in Western New York.

Response to Request i): As Mr. Wagner indicated, Ashton Ditka is responsible for retail pricing of the Kwik Fill stores in his position as the head of the marketing department. Mr. Ditka is Senior Vice President for Marketing and will make himself available for a telephone interview for an informal discussion of retail gasoline pricing at the Company's stores, including the internal procedures and personnel involved. We expect to provide Mr. Ditka's schedule today or tomorrow in order that this interview can be scheduled.

j.) the cents per gallon gross margin for each retail location on a weekly basis since January 1, 2007.

Response to Request j): The information asked for in this request goes beyond the requests that were made at our meeting last Tuesday. At no point during the interview was there any discussion about profits and revenues that are obtained at the individual stores.

k) Profit and loss statements by retail location since January 1, 2007.

December 15, 2008
Page 3

Response to Request k): The information asked for in this request goes beyond the requests that were made at our meeting last Tuesday. At no point during the interview was there any discussion about profits and revenues that are obtained at the individual stores.

l) Revenues from cigarette sales by retail location on a monthly basis since January 1, 2008.

Response to Request l): The information asked for in this request goes beyond the requests that were made at our meeting last Tuesday. At no point during the interview was there any discussion about profits and revenues that are obtained at the individual stores.

m) Total revenues by retail location on a monthly basis since January 1, 2008.

Response to Request m): The information asked for in this request goes beyond the requests that were made at our meeting last Tuesday. At no point during the interview was there any discussion about profits and revenues that are obtained at the individual stores.

With respect to all of the above requests, you indicated in your December 11 letter that the material should be related to the Company's operations in "Western New York." We would ask that you specifically define Western New York so that we may be more responsive to your requests.

Our meeting with you and your colleagues on December 8, 2008, the information requests that were made at the meeting, and the upcoming interview with the URC representative on retail outlet pricing, have all been a part of an informal process that we have undertaken with your office. Your December 11 letter now indicates that the requests for information were actually a part of the subpoena that your office had issued to URC. In our response to the faxed subpoena, we advised you that we needed sufficient time to respond to the subpoena. This time has not been provided to us. However, we will continue to cooperate with you informally and will provide you with the information that has been requested. We expect to provide you with our response to Requests c) – g) no later than December 22, 2008, if not sooner. We will provide a representative to be interviewed on pricing in the next few days. However, we reserve all rights and defenses to the subpoena.

Finally, we would ask that you explain to us the necessity and reasons for Requests j – m above.

Thank you very much.

Very truly yours,

Harter Secrest & Emery LLP



Peter H. Abdella

DIRECT DIAL (585) 231-1116
E-MAIL: PABDELLA@HSELAW.COM

PHA:jnl
Enclosure
cc: John R. Wagner, Esq. (w/encl)

K
Kwik Fill

SAVINGS.
CONVENIENCE.
QUALITY.

KWIK FILL INTERACTIVE MAPPING SYSTEM

WE HAVE WHAT YOU'RE LOOKING FOR...

SA DIESE

STORE LOCATOR **OUR SERVICES** **KWIK**

©2006 Kwik Fill

A Division

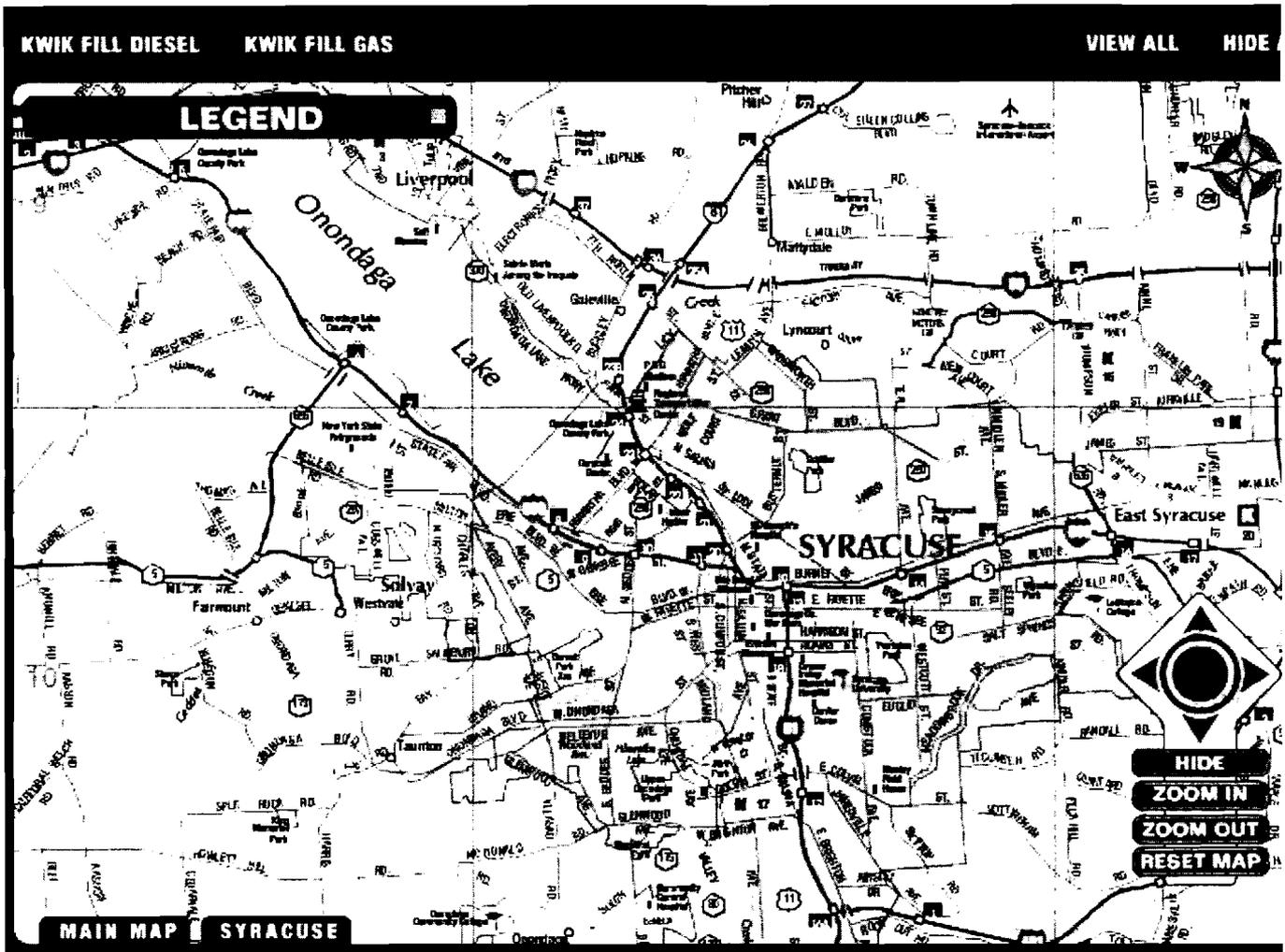
[HOME](#) | [STORE LOCATOR](#) | [OUR SERVICES](#) | [KWIK FILL CREDIT](#) | [CONTACT US](#)

KWIK FILL DIESEL **KWIK FILL GAS** **VIEW ALL** **HIDE**

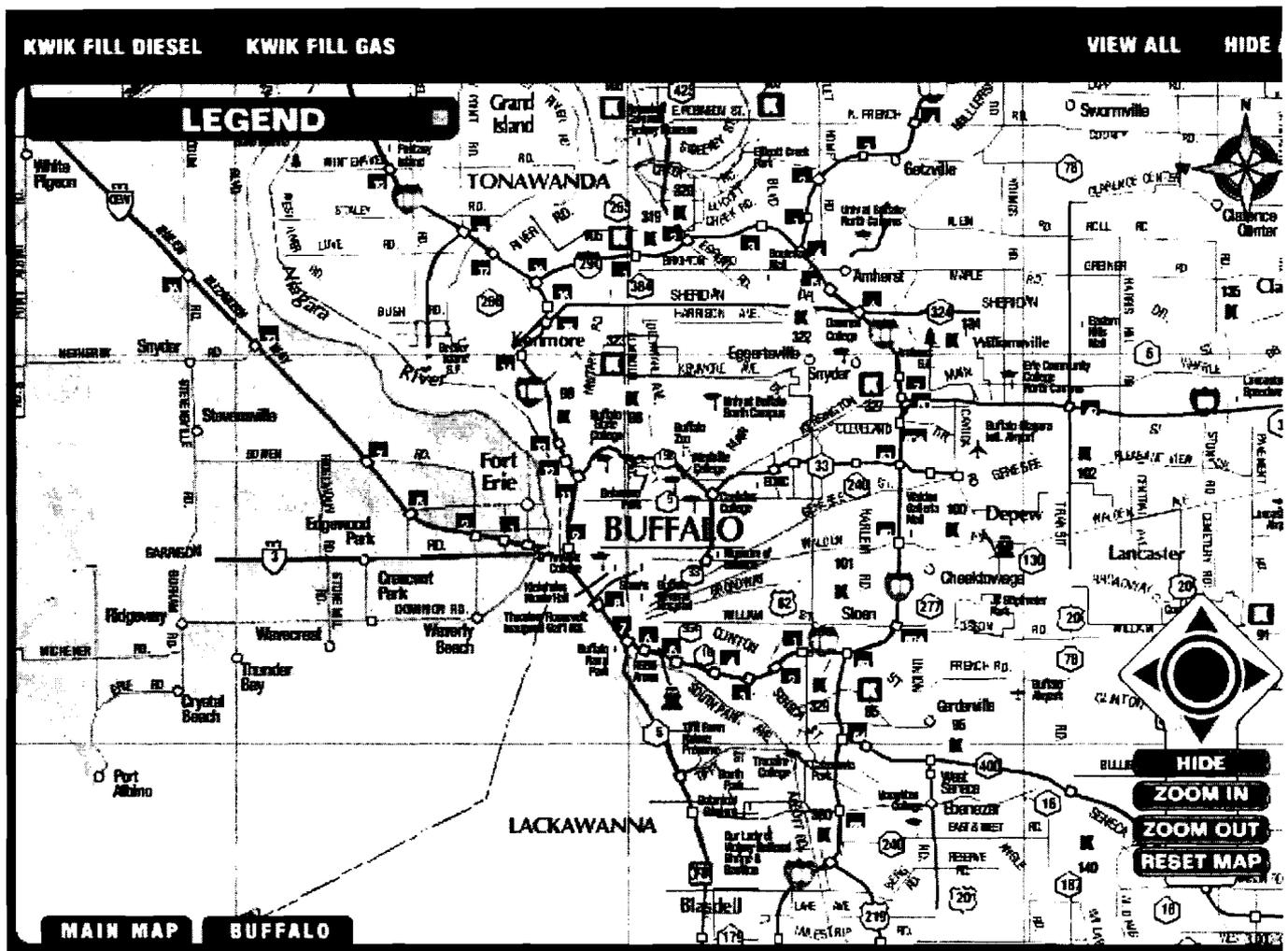
LEGEND

The map displays a network of roads and numerous KwikFill locations marked with small squares. A legend box is positioned in the upper left, and a navigation panel in the lower right includes a compass rose and buttons for 'HIDE', 'ZOOM IN', 'ZOOM OUT', and 'RESET MAP'. Several callout boxes are scattered across the map, providing details for specific locations. The map is overlaid with a grid.

*KwikFill Credit Cards are also accepted at Country Fair and Keystone locations as shown on this map.



*KwikFill Credit Cards are also accepted at Country Fair and Keystone locations as shown on this map.



*KwikFill Credit Cards are also accepted at Country Fair and Keystone locations as shown on this map

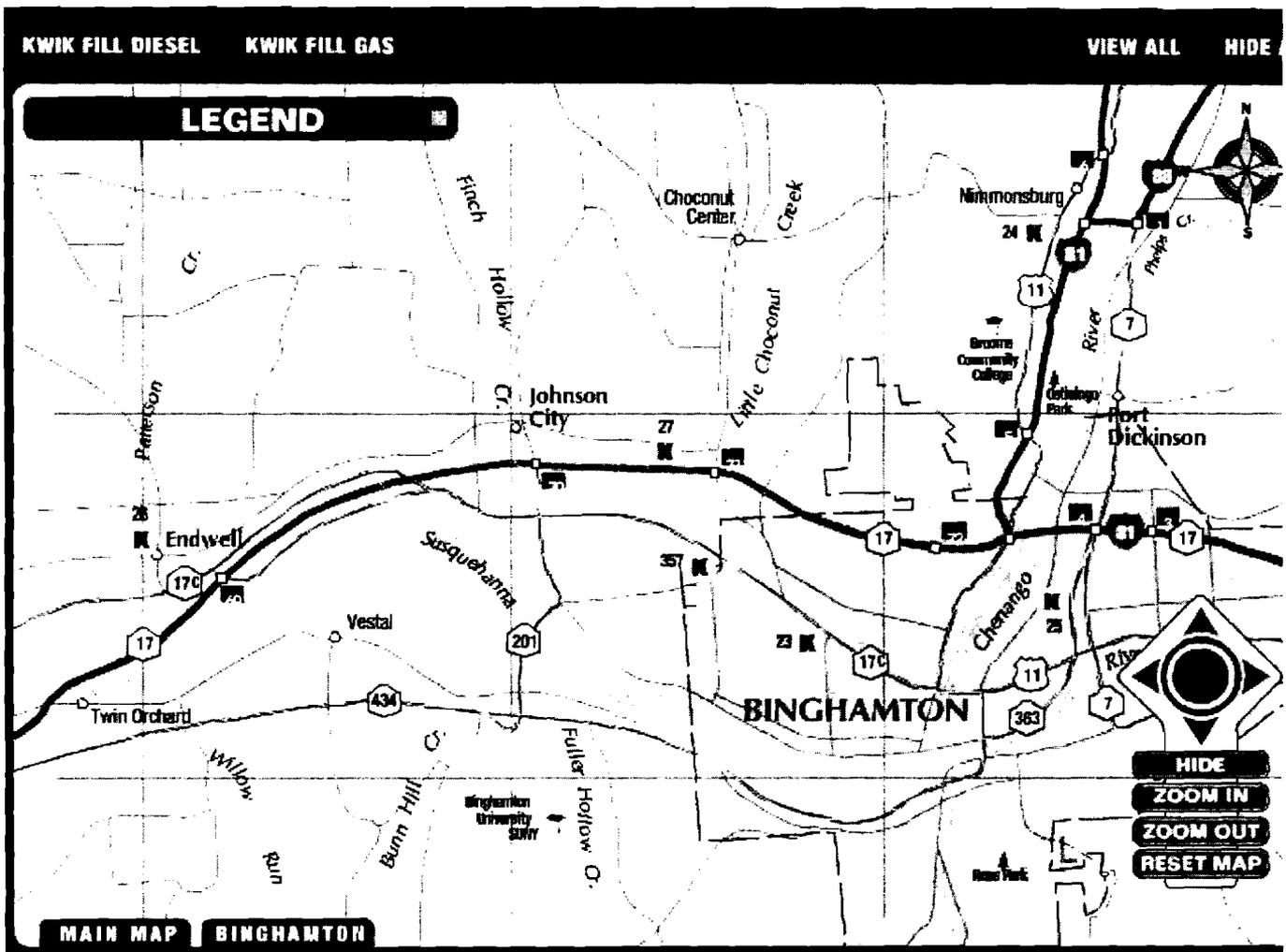
KWIK FILL DIESEL **KWIK FILL GAS** **VIEW ALL** **HIDE**

LEGEND

MAIN MAP **ROCHESTER**

HIDE
ZOOM IN
ZOOM OUT
RESET MAP

*KwikFill Credit Cards are also accepted at Country Fair and Keystone locations as shown on this map



*KwikFill Credit Cards are also accepted at Country Fair and Keystone locations as shown on this map

EXHIBIT I



Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

RECEIVED

JAN 16 2009

January 15, 2009

ANTITRUST BUREAU

BY OVERNIGHT DELIVERY

Sarah M. Hubbard, Esq.
Assistant Attorney General
Office of the Attorney General
120 Broadway
New York, NY 10271-0322

Re: In the Matter of the Investigation by Andrew M. Cuomo, Attorney
General of the State of New York, relating to Gasoline Pricing

Dear Sally:

With this letter, we are sending three (3) boxes relating to the information requests in your correspondence dated December 11, 2008, and specifically information requests a, b, c, d, e, j, k, l and m. The bates stamp series for each item is listed as follows:

1. Item a: 19924 – 19927
2. Item b: 19929
3. Item c: 15127 – 15132, 15139 – 15553, 15555 – 15755, 15757 – 15824
4. Item d: 15825 – 16095, 16096 – 16128
5. Item e, j, k, l, m (2007): 16133 – 16238, 16240 – 16560, 16562 – 16729, 16731 – 17120, 17123 – 17214, 17216 – 17459, 17461 – 17516, 17518 – 17543, 17545 – 17586, 17588 – 17646, 17648 – 17661, 17663 – 17666, 17668 – 17782, 17784 – 17795, 17799 – 18118
6. Item e, j, k, l, m (2008): 18120 – 19923

Separately, I will e-mail to you a list from Ashton Ditka of URC's competitors, as URC perceives them to be, in various locations pursuant to your request in Ashton's interview on December 17, 2008.

Harter Secrest & Emery LLP
ATTORNEYS AND COUNSELORS

Sarah M. Hubbard, Esq.
January 15, 2009
Page 2

Thank you very much.

Very truly yours,

Harter Secrest & Emery LLP

A handwritten signature in black ink, appearing to read "Peter H. Abdella". The signature is written in a cursive style with a large initial "P" and "A".

Peter H. Abdella

Direct dial: (585) 231-1116
E-MAIL: PABDELLA@HSELAW.COM

PHA:cc
Enclosures

EXHIBIT J

From: "Abdella, Peter" <pabdella@hselaw.com>
To: Sarah Hubbard <Sarah.Hubbard@oag.state.ny.us>
Date: 2/25/2009 6:45 PM
Subject: RE: URC information

Sally,

I am not sure that will work. Is there any way that you can give me a more detailed description of what your economist needs and the form that it should be in?

Peter

Peter H. Abdella
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1116
Fax 585.232.2152 <mailto:pabdella@hselaw.com>

<http://www.hselaw.com/>

-----Original Message-----

From: Sarah Hubbard [<mailto:Sarah.Hubbard@oag.state.ny.us>]
Sent: Tuesday, February 24, 2009 10:34 AM
To: Abdella, Peter
Subject: Re: URC information

I'm probably the best person to speak to on this. Let me know when the IT person is available.

Sally Hubbard
Assistant Attorney General, Antitrust Bureau 120 Broadway, 26th Floor New York, NY 10271
tel: 212-416-8598
fax: 212-416-6015

>>> "Abdella, Peter" <pabdella@hselaw.com> 2/24/2009 10:31 AM >>>

Sally,

Is there someone from your office that I can have URC speak with about the exact electronic format that you would like the price survey information in? I would want to get one of URC's IT people on the phone and we could schedule a call.

Let me know.

Thanks.

Peter

[cid:image8618be.bmp@5a5e1746.ad474c91]

Peter H. Abdella
Harter Secrest & Emery LLP, Attorneys and Counselors 1600 Bausch & Lomb Place, Rochester, NY
14604-2711 Firm 585.232.6500 Direct 585.231.1116 Fax 585.232.2152
pabdella@hselaw.com<<mailto:pabdella@hselaw.com>>

www.hselaw.com<<http://www.hselaw.com>>

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail at pabdella@hselaw.com<<mailto:pabdella@hselaw.com>> or by calling 585.231.1116, so that our address record can be corrected.

Pursuant to certain federal tax regulations, we must inform you that, unless expressly stated otherwise, any advice contained in this correspondence or any attachment relating to federal taxes is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any federal tax penalties or promoting, marketing or recommending to another party any matters addressed herein.

Sarah Hubbard - URC - IT contact

From: "Abdella, Peter" <pabdella@hselaw.com>
To: Sarah Hubbard <Sarah.Hubbard@oag.state.ny.us>
Date: 3/17/2009 5:07 PM
Subject: URC - IT contact

Sally,

This will confirm our call of earlier today. We agreed that a IT staff person in your office can proceed to contact Jack Yates who is an IT consultant of URC's to discuss your request for the "native data" associated with the price survey documents that we recently produced to you. No attorneys will be on the call. Jack can be reached at 972-785-9191.

Please let me know if you have any questions.

Thanks.

Peter



Peter H. Abdella

Harter Secrest & Emery LLP, Attorneys and Counselors

1600 Bausch & Lomb Place, Rochester, NY 14604-2711

Firm 585.232.6500 Direct 585.231.1116

Fax 585.232.2152 pabdella@hselaw.com

www.hselaw.com

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail at pabdella@hselaw.com or by calling 585.231.1116, so that our address record can be corrected.

Pursuant to certain federal tax regulations, we must inform you that, unless expressly stated otherwise, any advice contained in this correspondence or any attachment relating to federal taxes is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any federal tax penalties or promoting, marketing or recommending to another party any matters addressed herein.

EXHIBIT K



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

SARAH M. HUBBARD
Assistant Attorney General

February 2, 2009

BY FACSIMILE (585-232-2152)

Peter H. Abdella
Harter, Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester, NY 14604

Re: In the Matter of the Investigation by Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

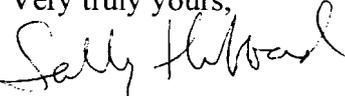
Dear Peter:

I am writing to follow up on this Office's subpoena to United Refining of November 26, 2008. By close of business February 16, 2009, please produce all documents responsive to the first request set forth in the subpoena:

All documents concerning any communications, agreements, or arrangements between United Refining and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.

"Competitor" means any retailer or supplier of gasoline products, and communications with competitors include, but are not limited to, any communications with trade associations or members of trade associations.

In addition, we request that United Refining provide all data reflecting retail pricing surveys of each retail location's competitors since January 1, 2008, as previously requested, in its native electronic format (i.e. please provide spreadsheets constructed in Microsoft Excel as electronic Excel worksheets).

Very truly yours,

Sally Hubbard
Assistant Attorney General

MODE = MEMORY TRANSMISSION

START=FEB-02 17:04

END=FEB-02 17:05

FILE NO.=885

| STN NO. | COMM. | ABBR NO. | STATION NAME/TEL NO. | PAGES | DURATION |
|---------|-------|----------|----------------------|---------|----------|
| 001 | OK | | 915852322152 | 002/002 | 00:00:44 |

-NYS

***** -NYS LAW - ***** 212 416 6015- *****



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
ANDREW M. CUOMO

FACSIMILE TRANSMISSION

DATE: February 2, 2009

NUMBER OF PAGES: 2
(INCLUDING THIS PAGE)

TO: **Peter H. Abdella**

(585) 232-2152

FROM: **Sarah Hubbard**
Assistant Attorney General

RE:

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT

NAME Yvonne OFFICE Antitrust Bureau

TELEPHONE NO. (212) 416-8265 FAX NO. (212) 416-6015

CONFIDENTIAL

The information contained in this facsimile is privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this is strictly prohibited.

**IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.**

120 BROADWAY, NEW YORK, NY 10271-0332

EXHIBIT L



Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

February 11, 2009

ANITRUST BUREAU
FEB 13 2009
RECEIVED

Via Facsimile & First Class Mail

Sarah M. Hubbard, Esq.
Assistant Attorney General
120 Broadway
New York, NY 10271

Re: In the Matter of the Investigation of Andrew M. Cuomo, Attorney General of the State of New York, relating to Gasoline Pricing

Dear Sally:

This letter is in response to your correspondence dated February 2, 2009, regarding the above.

In both Mr. Wagner's interview on December 9, 2008, and Mr. Ditka's interview on December 17, 2008, these URC representatives advised you clearly that there were no agreements or arrangements between URC and any competitors on retail gasoline pricing. There are no documents showing any such agreements or arrangements.

While URC is a member of the New York Association of Convenience Stores ("NYACS"), we are not aware of any documents from or about NYACS concerning agreements or arrangements on retail gasoline pricing.

With respect to all data concerning retail pricing surveys since January 1, 2008, we provided you already with this detailed information. These documents were produced to you on January 15, 2009, and were bates stamped 15825 – 16128. To the extent that you are requesting the documentation that was relied upon to create the survey documents that were produced to you, this documentation will require significant effort to produce from URC's warehouse. We do not understand the reason why this information is necessary when we have already provided to you the retail pricing survey documents.

If you would like to discuss these issues with me further, please let me know and I will schedule a call with you.

Thank you very much.

Very truly yours,

Harter Secrest & Emery LLP

Peter H. Abdella

DIRECT DIAL (585) 231-1116
E-MAIL PABDELLA@HSELAW.COM

PHA:jnl

EXHIBIT M

From: Sarah Hubbard
To: pabdella@hselaw.com
Date: 7/14/2009 12:52 PM
Subject: United Refining Company

Peter,

The Attorney General's investigation into gas pricing in Western New York is ongoing. As part of United Refining Company's subpoena compliance, by close of business tomorrow, please email me a list of all individuals that work for United Refining Company and its affiliates and subsidiaries who are involved in any way in retail pricing. Also, please email me a URC organizational chart.

Thanks,
Sally

Sally Hubbard
Assistant Attorney General, Antitrust Bureau
120 Broadway, 26th Floor
New York, NY 10271
tel: 212-416-8598
fax: 212-416-6015

EXHIBIT N

From: "Abdella, Peter" <pabdella@hselaw.com>
To: Sarah Hubbard <Sarah.Hubbard@oag.state.ny.us>
Date: 7/16/2009 2:53 PM
Subject: RE: United Refining Company

Sally,
I spoke with my client about your request. We feel that we have already provided significant information to you about these issues, including Ashton Dikta's interview in which he identified the other individuals involved in retail pricing and who reports to whom.
If you want to talk about this some more on the phone, please feel free to call me. I am around this afternoon and tomorrow all day.
Thanks.
Peter

Peter H. Abdella
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1116
Fax 585.232.2152 <mailto:pabdella@hselaw.com>

<http://www.hselaw.com/>

-----Original Message-----

From: Sarah Hubbard [<mailto:Sarah.Hubbard@oag.state.ny.us>]
Sent: Tuesday, July 14, 2009 12:53 PM
To: Abdella, Peter
Subject: United Refining Company

Peter,
The Attorney General's investigation into gas pricing in Western New York is ongoing. As part of United Refining Company's subpoena compliance, by close of business tomorrow, please email me a list of all individuals that work for United Refining Company and its affiliates and subsidiaries who are involved in any way in retail pricing. Also, please email me a URC organizational chart.

Thanks,
Sally

Sally Hubbard
Assistant Attorney General, Antitrust Bureau
120 Broadway, 26th Floor
New York, NY 10271
tel: 212-416-8598
fax: 212-416-6015

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail at <mailto:pabdella@hselaw.com> or by calling 585.231.1116, so that our address record can be corrected.

Pursuant to certain federal tax regulations, we must inform you that, unless expressly stated otherwise, any advice contained in this correspondence or any attachment relating to federal taxes is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any federal tax penalties or promoting, marketing or recommending to another party any matters addressed herein.

EXHIBIT O

From: "Abdella, Peter" <pabdella@hselaw.com>
To: Sarah Hubbard <Sarah.Hubbard@oag.state.ny.us>
CC: Kate Burson <Kate.Burson@oag.state.ny.us>
Date: 7/24/2009 10:15 AM
Subject: RE: Follow-up

Sally,

As a follow up to your interview of Ashton Ditka, he identified several employees who are involved in retail pricing. He talked about John Schwanke - the pricing coordinator, Greg Latimer - the director of retail marketing, and Pete Conley - the vice president of retail marketing. All of these individuals report to Mr. Ditka, who in turn reports to Myron Turfitt - the president of the Company. There have been no changes in these positions since the fall of '08.

I would like to speak with you some more about your request for the Company org chart.

Peter

Peter H. Abdella
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1116
Fax 585.232.2152 <mailto:pabdella@hselaw.com>

<http://www.hselaw.com/>

-----Original Message-----

From: Sarah Hubbard [<mailto:Sarah.Hubbard@oag.state.ny.us>]
Sent: Thursday, July 23, 2009 1:57 PM
To: Abdella, Peter
Cc: Kate Burson
Subject: Follow-up

Peter,

Can I expect the org chart and list of URC employees today?

Sally

Sally Hubbard
Assistant Attorney General, Antitrust Bureau
120 Broadway, 26th Floor
New York, NY 10271
tel: 212-416-8598
fax: 212-416-6015

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail at <mailto:pabdella@hselaw.com> or by calling 585.231.1116, so that our address record can be corrected.

Pursuant to certain federal tax regulations, we must inform you that, unless expressly stated otherwise, any advice contained in this correspondence or any attachment relating to federal taxes is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any federal tax penalties or promoting, marketing or recommending to another party any matters addressed herein.

Sarah Hubbard - URC retail marketing

From: "Wadsworth, Jeffrey" <jwadsworth@hselaw.com>
To: "sarah.hubbard@oag.state.ny.us" <sarah.hubbard@oag.state.ny.us>
Date: 8/10/2009 5:12 PM
Subject: URC retail marketing
Attachments: DOC001.pdf

Sally,

It was nice talking with you yesterday. Per our conversation, I am attaching an organizational chart for the Retail Marketing part of United Refining Company's business. Ashton Ditka is the head of this department, and he in turn reports to the company's President, Myron Turfitt. Based on our conversation yesterday, I have not included charts for the other parts of the business that are outside the retail gasoline area in which you're interested (e.g., refining, finance, planning & engineering, wholesale, asphalt, corporate services, supply & transportation, Country Fair, accounting).

I think you'll find that this organizational chart also confirms the list of relevant individuals involved in retail gasoline pricing that Ashton Ditka provided during his interview last December and that Peter Abdella recently reiterated in his July 24 email to you: Pete Conley (VP Retail Marketing - Kwik Fill), Greg Latimer (Director - Retail Marketing), and John Schwanke (Pricing Coordinator).

I understand from our conversation yesterday that you are not seeking any additional documents or testimony at this time, and that you are not demanding at this time any other materials or testimony covered by the subpoenas that your office recently issued. United Refining Company continues to preserve any legal rights or objections that it might have with respect to those subpoenas or any future requests for additional information until such time as it is necessary to assert them. United Refining Company's provision of the attached information is in furtherance of its continuing cooperation with your office in this matter.

Best regards,
Jeff



Jeffrey A. Wadsworth
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1113
Fax 585.232.2152 jwadsworth@hselaw.com

www.hselaw.com

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying

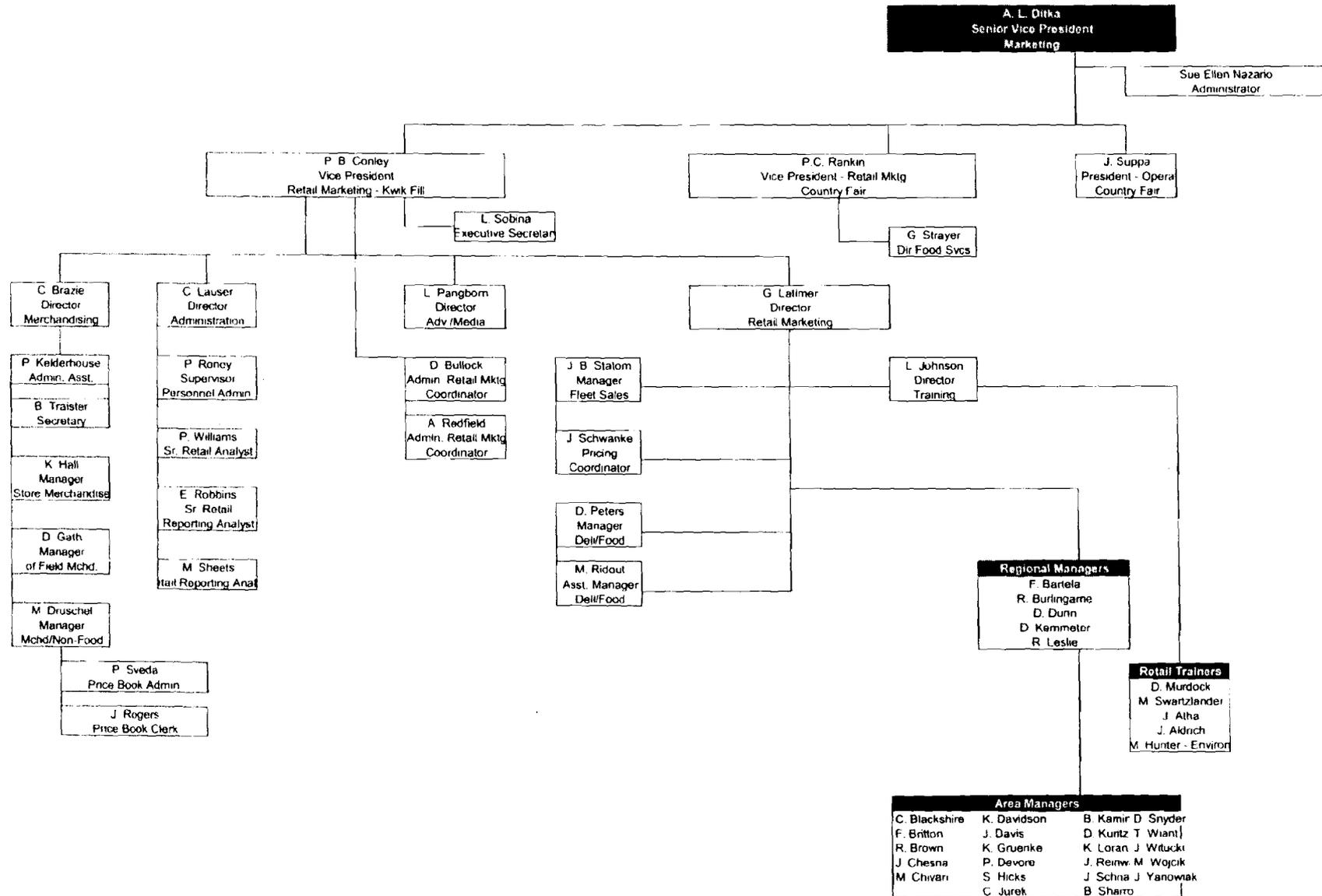


EXHIBIT P

OFFICE OF THE ATTORNEY GENERAL
OF THE STATE OF NEW YORK

In the Matter of the

Affidavit of Service

Investigation by ANDREW M. CUOMO, Attorney General
of the State of New York, relating to

Gasoline Pricing.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

Judith Gentry-Smith, being duly sworn, deposes and says that he is over 18 years of age, not a party to the action; and that he served the attached Subpoena Duces Tecum and Subpoena Ad Testificandum on United Refinery, named herein, in the following manner:

Complete one of the following BLOCKS, and the DESCRIPTION BELOW:

_____ by personally delivering to and leaving a true copy thereof with the above defendant on the _____ day of _____, 2009, at _____ AM (PM), at _____ (address or place of service) and that he (she) knew the person to served to be the person described as the said defendant therein.

A. by personally delivering to and leaving a true copy thereof with Christian Gross (Terminal Operator) (name of person served) a person of suitable age and discretion, on the 29th day of July, 2009, at 2:15 AM (PM), at United Refinery, 4545 River Rd., Tonawanda, NY the-dwelling place-usual place of abode-place of business within the State of New York (address or place of service) 14150

OR B. by affixing a true copy thereof to the defendant's door at _____ (address or place of service) _____ the-dwelling place-usual place of abode-place of business within the State of New York on the _____ day of _____, 2009, at _____ AM (PM), AND by mailing a true copy of the same to the defendant(s) at _____ (address mailed to, street, No., City and State) _____ his (her) (their) last known residence or business address.

Deponent previously attempted to serve the defendant(s) with due diligence pursuant to CPLR Sec. 308(3) on: (1) _____ day of _____, 2009, at _____ AM (PM); (2) _____ of _____, 2009, at _____ AM (PM); (3) _____ day of _____, 2009, at _____ AM (PM).

_____ by personally delivering to and leaving a true copy thereof with _____ (name of person served) (4) at _____ on _____ day of _____, 2009, at _____ A.M./P.M.; (address or place of service) deponent knew the said corporation so served to be the corporation described in this action as the defendant herein, and that the said individual was the _____ thereof. (title of individual served)

The description of the person served pursuant to (1) or (2) above is: Sex Male; Skin color White; Hair color Blonde; Approx. age 40; Approx. weight 195 lbs; Approx. height 5'8"; Other identifying features _____

To my best knowledge, information and belief, the said defendant at the time of service was not engaged in military service of the United States.

Sworn to before me this 29th day of July, 2009.

Rose M. Krans

Judith A. Gentry-Smith

ROSE M. KRANS
Notary Public, State of New York
No. 01KR6063447
Qualified in Erie County
Commission Expires August 27, 2009

INSTRUCTIONS AND DEFINITIONS

1. "United Refining Co." means United Refining Co. and (i) its directors, officers, agents, employees, attorneys, or any other person acting on its behalf and (ii) any predecessor, successor, parent corporation, subsidiary, division, or affiliate, wherever located.
2. "Agreement" shall include any contract, memorandum of intent, letter of intent, terms sheet, framework agreement, outline agreement, and any amendment or modification, predecessor and superceding agreement, and any other agreement or understanding referenced in or ancillary to the agreement.
3. "Gasoline product" means any petroleum product used for the propulsion of any motor vehicle.
4. "Document" is used herein in the broadest sense of the term and means each and every writing or graphic matter of whatever nature, whether an original, a draft, or a copy, including all non-identical copies, however produced or reproduced, whether or not sent or received, and each and every tangible thing from which information can be processed or transcribed, such as tape or other electronic data communications. The term includes but is not limited to letters, records, forms, books, invoices, e-mail messages, voicemail messages, checks, bills, receipts, diaries, calendars, logs, journals, notebooks, plans, directives, instructions, analyses, telegrams, studies, contracts, agreements, correspondence, communications, statistics, memoranda, notes, minutes, opinions, reports, summaries, work-sheets, graphs, and charts and any other means by which information is recorded or transmitted, including but not limited to audio, visual, and digital recordings, photographs (positive prints and negatives), slides, films, phonorecords, teletypes, telefax, facsimiles, thermafax, microfilm, punch cards, computer data,

printouts and data processing records, translated, if necessary, by the respondent through detection devices into reasonably usable form.

5. "Concerning" means referring to, related to, describing, reflecting, regarding, evidencing, recording, memorializing, comprising, constituting, or supporting, directly or indirectly.

6. The terms "and" and "or" should be construed conjunctively or disjunctively, whichever makes the request more inclusive.

7. The terms "any" and "all" should be construed as "any and all."

8. The use of the singular form of any word includes the plural and vice versa.

9. For purposes of this subpoena duces tecum, the time period applicable to the following requests is January 1, 2008, to the present ("the applicable time period") unless otherwise noted. A request for a schedule, agreement, or other document for the applicable time period encompasses any schedule, agreement, or other document created, in use, or in effect during any part of the applicable time period. Production is also required if a specific request pre-dates the applicable time period.

10. Each document submitted in compliance herewith should be numbered consecutively on the face of the document and should clearly identify the paragraph of the subpoena to which the document is responsive, unless original documents are being produced for inspection and copying. Copies of original documents should be legible in their entirety.

11. If any document the production of which is called for by this subpoena duces tecum is withheld on the ground of purported privilege, for each such document please provide the following information in writing on the return date of this subpoena:

- (i) the purported legal ground for withholding the document;
- (ii) the type of document;
- (iii) the general subject matter of the document;
- (iv) the date of the document;
- (v) the author of the document;
- (vi) all recipients of the document; and
- (vii) such other information as is sufficient to identify the document for a motion to a court to compel its production.

12. If any of the documents called for in this subpoena have been produced to any individual, organization, corporation, governmental agency, or any other entity, please provide the Attorney General with a description of such documents and the individual(s) or entity(s) to which such documents have been produced.

13. If any of the documents called for in this subpoena have previously been produced to the Attorney General, please identify by Bates number (i) each such document and (ii) the subpoena call to which the document is responsive.

14. The response to this subpoena duces tecum shall be continuing in nature so as to require a supplemental response in the event that, after responding to any individual request, you obtain or become aware of additional information responsive to any request.

DOCUMENTS TO BE PRODUCED

1. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any competitor in the sale or distribution of gasoline products, including all communications concerning gasoline pricing, sale, supply, marketing, advertising, distribution, output, territories, customers, or markets.
2. All documents concerning United Refining Co.'s pricing of gasoline products.
3. All documents concerning the pricing of gasoline products by United Refining Co.'s competitors.
4. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s customers concerning the retail price of gasoline products.
5. All documents concerning any communications, agreements, or arrangements between United Refining Co. and any of United Refining Co.'s suppliers concerning the prices that United Refining Co. should or must charge its customers for gasoline products.
6. Documents sufficient to show United Refining Co.'s revenue and profits (gross and net) for the applicable period.
7. Organizational charts for United Refining Co. for 2008 and 2009.
8. All communications sent to or received by each United Refining Co. employee in 2008 who is involved in any way in the retail pricing of gasoline products.

Under the provisions of Article 23 of the CPLR, you are bound by this subpoena to produce the requested items. For a failure to attend on the date specified above, or any adjourned date, and to produce the items specified, you may be liable, in addition to any other lawful punishment, for the damages sustained by the State of New York, and for a penalty not to exceed fifty dollars (\$50.00).

WITNESS, Honorable ANDREW M. CUOMO, Attorney General of the State of New York, the 24th day of July, 2009.

ANDREW M. CUOMO
Attorney General of the
State of New York
120 Broadway
New York, New York 10271-0332

By: 
Sarah M. Hubbard
212.416.8598
Assistant Attorney General

EXHIBIT Q

From: Sarah Hubbard
To: jwadsworth@hselaw.com
Date: 8/19/2009 12:44 PM
Subject: United Refining Company

Jeff,

Pursuant to this Office's subpoena to United Refining Company, please produce to us all emails sent or received by the following individuals in the calendar year 2008 by Thursday, September 10. Please produce the emails electronically. The target system is Concordance with Opticon. The best format would be a single page tif. The load file should include begin doc, end doc, page count, and the corresponding OCR text file.

Ashton Ditka
Pete Conley
Greg Latimer
John Schwanke
Roy Williams
John Conley
Paul Rankin
Jim Kupniewski
P. Williams
D. Bullock

Let me know if you have any questions.

Regards,
Sally

Sally Hubbard
Assistant Attorney General, Antitrust Bureau
120 Broadway, 26th Floor
New York, NY 10271
tel: 212-416-8598
fax: 212-416-6015

EXHIBIT R



Harter Secrest & Emery LLP
ATTORNEYS AND COUNSELORS

WWW.HSELLP.COM

September 10, 2009

VIA EMAIL AND FIRST-CLASS MAIL

Sarah M. Hubbard, Esq.
Assistant Attorney General
120 Broadway
New York, New York 10271

Re: In the Matter of the Investigation of Andrew M. Cuomo, Attorney General
of the State of New York, relating to Gasoline Pricing

Dear Sally:

We write in response to your communication of August 19, 2009, in which you requested that United Refining Company ("URC") produce "all emails sent or received" in 2008 by ten individuals: Ashton Ditka, Pete Conley, Greg Latimer, John Schwanke, Roy Williams, John Conley, Paul Rankin, Jim Kupniewski, P. Williams, and D. Bullock. URC takes exception to the scope and relevance of the request for "all" emails from 2008 for each of these individuals. The request is patently overbroad, but as explained below, URC has undertaken a search for the emails that you requested.

The email files for nine of the ten individuals identified in your request have been reviewed, and so far it appears that only four of these nine individuals possess any sent or received emails from the 2008 time frame. Jim Kupniewski, Director of Marketing and Retail Development for Country Fair, has some emails from 2008. Although none of these emails is relevant to gasoline pricing, we are nevertheless enclosing them herewith. Greg Latimer, Director of Retail Marketing, has nine emails from 2008, and we have enclosed those as well. Paul Rankin, Vice President for Retail Marketing for Country Fair, and John Schwanke, Pricing Coordinator, also have some emails from 2008. Although it is not clear that any has to do with gasoline pricing, we are collecting them and will provide them to you soon.

Pat Williams will be back in the office next week, and his email files will be reviewed at that time. If we discover any additional emails from the 2008 time period, we will let you know.

Our investigation has further indicated that no emails from the 2008 time frame are retrievable in a back-up format for any of the individuals on the Kwik Fill side of the business. Although URC generally maintains daily back-up tapes of email files, it unfortunately had a significant lapse in its back-up tape files in 2008 when it changed its email system from a Windows-based Exchange Server to a Linux-based Scalix Server. We are willing to make

Harter Secrest & Emery LLP
ATTORNEYS AND COUNSELORS

Sarah M. Hubbard, Esq.
September 10, 2009
Page 2

URC's information technology consultant available by telephone to answer any technical questions about that back-up tape issue, if that would be helpful for you. We of course would expect to be a part of any such call.

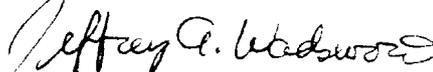
We are still investigating whether there are any additional emails that might be on back-up tapes for those individuals associated with the Country Fair business. Once we have an answer to that question, we will let you know.

URC's provision of the enclosed emails is in furtherance of its continuing cooperation with your office in this matter. Indeed, it has provided nearly 5000 pages of documents in response to your requests to date. Please note, however, that URC continues to preserve its full legal rights and objections with respect to the subpoena and any future requests for additional information that you might submit.

Please contact me if you would like to discuss these issues further.

Respectfully submitted,

Harter Secrest & Emery LLP



Jeffrey A. Wadsworth

DIRECT DIAL. (585) 231-1113
E-MAIL JWADSWORTH@HSELAW.COM

JAW:abm
Enclosures

cc: Geralyn Trujillo (via email only)

EXHIBIT S

From: Geralyn Trujillo
To: Wadsworth, Jeffrey
CC: Abdella, Peter; Hubbard, Sarah
Date: 9/18/2009 2:45 PM
Subject: RE: United Refining Co.

Jeff -

The testimony we subpoenaed needs to take place before we consider deferring any of the documents called for by the subpoena duces tecum. Even if we agree to defer the production of certain documents, we would still reserve our right to collect the deferred materials at a later time.

Whether you begin the collection of documents prior to the testimony is your choice, but we would expect United Refining, at the very least, to preserve the materials called for by the subpoena duces tecum.

I also just received your message regarding the IT person who is recovering from knee surgery in Texas. If this person is unable to testify due to his injury, please let us know as soon as possible who else at United Refining Co. is knowledgeable about the issues set forth in the subpoena so that we can move forward and schedule the testimony.

Regards,

Geralyn J. Trujillo
Assistant Attorney General
State of New York
Office of the Attorney General
120 Broadway, 26th Floor
New York, NY 10271-0332
Tel: 212-416-6677

>>> "Wadsworth, Jeffrey" <jwadsworth@hselaw.com> 9/18/2009 12:24 PM >>>
Geralyn,

Let me clarify. My understanding from our call was that you won't be seeking the documents set forth in that subpoena if talking with someone from URC clears up the questions you have about the email and searches for documents. In light of that, we are not going to incur the exorbitant cost (and time) of trying to collect it at this time. I think we are in agreement on that, aren't we? Please give me a call, if we need to talk about it further.

Thanks.
Jeff

Jeffrey A. Wadsworth
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1113
Fax 585.232.2152 <mailto:jwadsworth@hselaw.com>

<http://www.hselaw.com/>

-----Original Message-----

From: Geralyn Trujillo [<mailto:Geralyn.Trujillo@oag.state.ny.us>]
Sent: Friday, September 18, 2009 11:56 AM
To: Wadsworth, Jeffrey
Cc: Sarah Hubbard
Subject: Re: United Refining Co.

Jeff -

I agree to the first two sentences of your e-mail. However, I did not agree to not enforce the document subpoena. I stated that any adjustments to the document subpoena (e.g., which documents may be a priority and the timing of the production of certain documents) may be informed by the testimony taken pursuant to the Subpoena Ad Testificandum. United Refining Co. should (a) preserve any and all documents called for the document subpoena, and (b) take steps to collect what is required. The sooner United Refining can produce a witness or witnesses to testify, the sooner adjustments may be made (or priorities determined) regarding the document subpoena.

Best regards,
Geralyn

Geralyn J. Trujillo
Assistant Attorney General
State of New York
Office of the Attorney General
120 Broadway, 26th Floor
New York, NY 10271-0332
Tel: 212-416-6677

>>> "Wadsworth, Jeffrey" <jwadsworth@hselaw.com> 9/18/2009 11:42 AM >>>
Geralyn,

Just to confirm our conversation from this morning, you agreed that United Refining Co. does not need to have someone appear on Monday morning. I understand you will talk with Sally about the specifics of the location and format, and we will continue to try to work through those issues together. I also understand that you are not seeking to enforce the document subpoena at this time, and that we'll address that after you've had a chance to talk with someone from URC.

Thanks.
Jeff

[cid:image92188b.bmp@d31af10a.12654c5b]
Jeffrey A. Wadsworth
Harter Secrest & Emery LLP, Attorneys and Counselors
1600 Bausch & Lomb Place, Rochester, NY 14604-2711
Firm 585.232.6500 Direct 585.231.1113
Fax 585.232.2152 jwadsworth@hselaw.com <<mailto:jwadsworth@hselaw.com>>

www.hselaw.com <<http://www.hselaw.com/>>

This e-mail message is from a law firm and may contain information that is privileged or confidential. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, do not read it. Please delete it from your system without copying it, and notify the sender by reply e-mail at jwadsworth@hselaw.com <<mailto:jwadsworth@hselaw.com>> or by calling 585.231.1113, so that our address record can be corrected.

Pursuant to certain federal tax regulations, we must inform you that, unless expressly stated otherwise, any advice contained in this correspondence or any attachment relating to federal taxes is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any federal tax penalties or promoting, marketing or recommending to another party any matters addressed herein.

EXHIBIT T

From: Geralyn Trujillo
To: jwadsworth@hselaw.com
CC: Hubbard, Sarah
Date: 9/22/2009 5:39 PM
Subject: United Refining Co. Subpoena

Jeff -

I am writing to confirm our conversation from earlier this afternoon regarding the Subpoena issued to United Refining Co. on September 15, 2009, and to set forth new deadlines for the production of documents.

1. We agree to conduct a telephone interview of Jack Yates, United Refining Co.'s IT consultant, in lieu of requiring Mr. Yates to give a witness statement under oath.

We are permitting Mr. Yates to be interviewed by telephone in lieu of testifying under oath due to the fact that Mr. Yates is recovering from knee surgery in Texas and is unable to travel until early November. Please let us know as soon as possible when Mr. Yates will be available for the telephone interview. We reserve our right to require Mr. Yates testify under oath at a later time, if we deem it necessary.

2. Please provide the name(s) of the individual(s) from United Refining Co. who will be testifying under oath on behalf of the company regarding the topics listed the Subpoena Ad Testificandum. Also provide the potential dates when the individual(s) will be available to testify. Once we have the proposed dates, we will apply for approval to travel to Buffalo to take the witness statement(s). In addition, please provide dates when the individual(s) would be available to testify in New York City, in the event we do not receive approval to travel to Buffalo.

3. We agree to defer the production of documents required by Paragraph 4 of the Subpoena Duces Tecum, which requires the production of "All electronic hard drives and electronic hard disks utilized by (a) all employees of United Refining Co. who have any involvement and / or responsibility for the retail pricing of gasoline and (b) each individual listed in Paragraph 1(b) above (to the extent not included in section (a) of this paragraph)." We reserve our right to require production of these materials at a later time.

4. United Refining Co. will produce, on a rolling basis, the remaining materials called for by the Subpoena Duces Tecum beginning with the 2009 e-mails called for by Paragraph 1. United Refining will produce the 2009 e-mails for the individuals listed in Paragraph 1(b) on September 25, 2009.

If United Refining wishes to narrow the group of individuals described in Paragraph 1(a) of the Subpoena Duces Tecum, please provide a proposal for narrowing the group by providing job descriptions and the extent to which the employee(s) is / are involved in, or responsible for, retail gasoline pricing. We will consider narrowing this group of individuals once you have provided this information.

Please provide the remaining documents called for by the subpoena (other than the materials called for by Paragraph 4 and the materials due on September 25, 2009) by October 6, 2009.

In addition, please sign the Acceptance of the Subpoena Duces Tecum & Subpoena Ad Testificandum attached to our letter to you dated September 15, 2009, fax a return copy to me at (212) 416-6015 and mail the original to either me or Sally Hubbard for our records.

Regards,

Geralyn J. Trujillo
Assistant Attorney General
New York State Office of the Attorney General
New York, NY 10271
tel: 212-416-6677
fax: 212-416-6015