

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT
C.A. NO. 21-0468A

In the Matter of

Peterson's Oil Service, Inc.

ADDENDUM TO ASSURANCE OF DISCONTINUANCE

The Commonwealth of Massachusetts, through the Office of the Attorney General ("AGO"), and Peterson's Oil Service, Inc. ("Peterson"), agree to this Addendum to the Assurance of Discontinuance filed on March 2, 2021 ("AOD"):

1. Paragraph 17, subparagraph (a), is added to the AOD: Peterson also agrees to pay the AGO \$5,000 within three business days of the filing of this Addendum to AOD. This payment is to resolve the disputed claim that Peterson allegedly violated Paragraph 20 of the AOD by failing to maintain records sufficient to demonstrate compliance with the level of biodiesel blend of some deliveries to the Commonwealth or Political Subdivisions. Payment shall be made by wire in accordance with instructions provided by the AGO.
2. The following subparagraphs are added to Paragraph 20 of the AOD:
 - a. To ensure compliance with the assurances set forth in the AOD and Addendum to AOD, Peterson shall, on or before February 15, 2023, enter into a contract with an independent compliance monitor approved by the AGO (the "Monitor"), to perform at the expense of Peterson, periodic record audits of a representative sample of contracts that Peterson currently has with the Commonwealth and Political Subdivisions or contracts that Peterson enters into with the

Commonwealth and Political Subdivisions during the three-year monitoring period, with the sample of the contracts selected solely by the Monitor. The Monitor will propose specific parameters for implementation of the record audits, but at a minimum the audits will include the review of records that are sufficient to demonstrate Peterson's compliance with any applicable contractual provisions governing the level of biodiesel blend delivered to the Commonwealth or Political Subdivisions. Peterson agrees to fully comply with any requests for information and documentation related to the Monitor's record audits. The monitor shall produce comprehensive written reports of the record audits and its findings of compliance and recommendations for Peterson and provide same to Peterson and the AGO.

- b. The initial record audit and written report should be completed by March 31, 2023. After the completion of the initial record audit, the Monitor will conduct an annual record audit, with the first annual record audit scheduled to take place twelve months after the completion of the initial record audit and then annually for a period of three years.
- c. Peterson agrees to use its best efforts in implementing recommendations made by the Monitor.
- d. As to any deficiencies reported to the AGO by the Monitor in comprehensive written reports, Peterson will have thirty days to submit a response which details either why the Monitor's report is inaccurate, or how Peterson is planning to address the issues raised by the report.

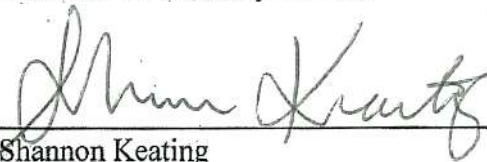
3. Paragraph 23 of the AOD is modified as follows: Any notices or required documents by this AOD shall be provided by first class mail and email to the AGO or Peterson or their successors, as follows:

AGO: Shannon Keating, AAG
False Claims Division
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
Shannon.Keating@mass.gov

Peterson: Louis Ciavarra
Bowditch & Dewey
311 Main Street
Worcester, MA 01608
lciavarra@bowditch.com

4. All other terms of the AOD filed March 2, 2021, remain in full force and effect.

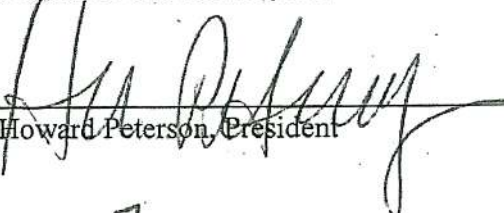
Office of the Attorney General



Shannon Keating
Assistant Attorney General
False Claims Division
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
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January 17, 2023

Peterson's Oil Service, Inc.



Howard Peterson, President

January 17, 2023

AD