

Begin forwarded message:

From: Romualdo PADOVANO <HYPERLINK  
"mailto:romualdo.padovano@totsa.com"romualdo.padovano@totsa.com>  
Date: 19 January 2011 10:30:04 GMT+01:00  
To: mailto:antoine.s.galea@enemalta.com.mtHYPERLINK  
"mailto:antoine.s.galea@enemalta.com.mt"antoine.s.galea@enemalta.com.mt  
Cc: HYPERLINK  
"mailto:chairman.emc@enemalta.com.mt"chairman.emc@enemalta.com.mt, Jan  
Iversen <HYPERLINK "mailto:jan.iversen@totsa.com"jan.iversen@totsa.com>,  
Jonathan Broome <HYPERLINK  
"mailto:jonathan.broome@total.com"jonathan.broome@total.com>  
Subject: Gasoline tender Feb-Sep 2011

Dear Antoine,

Following our telephone conversation, we do understand that you have not received our offer of gasoline to your tender for the period Feb-Sep 2011.

This is very surprising and disappointing, as we have sent our offer of gasoline to the mail address HYPERLINK

"mailto:chairman.emc@enemalta.com.mt"chairman.emc@enemalta.com.mt, as per Enemalta's procedures. The tracking report, hereunder enclosed, confirms that my email has been "successfully delivered" and "accepted for delivery".

We would appreciate if you could check on your side what happened, as we wish to understand how this situation occurred.

Regards,  
Aldo

Romualdo Padovano  
TOTSA Total Oil Trading S.A.  
Office: + 41.22.710.17.60  
Cell.: + 41.79.356.27.65  
Yahoo ID: tots\_a\_padovano


-----  
----- Forwarded by Romualdo PADOVANO/GENEVA/TRADING/Corp on 19/01/2011  
10:16 -----

From: Romualdo PADOVANO/GENEVA/TRADING/Corp  
To: HYPERLINK  
"mailto:chairman.emc@enemalta.com.mt"chairman.emc@enemalta.com.mt  
Cc: Jan Iversen/GENEVA/TRADING/Corp@TRADING, Jonathan  
Broome/GENEVA/TRADING/Corp@TRADING  
Date: 18/01/2011 13:36  
Subject: \*Confidential: Our offer of EN228

---

 **Fwd: Gasoline tender Feb-Sep 2011**

From: Galea Antoine S at Enemalta <[antoine.s.galea@enemalta.com.mt](mailto:antoine.s.galea@enemalta.com.mt)>  
To: Camilleri Karl at Enemalta <[karl.camilleri@enemalta.com.mt](mailto:karl.camilleri@enemalta.com.mt)>  
Date: Jan 19 2011 - 6:02pm

 mime-attachment.gif - 28k - [View in Outlook](#)

Dear Sirs,

We are pleased to offer to your gasoline tender dated 17th December, 2010 on the following basis:

Seller: TOTSА TOTAL OIL TRADING SA

Buyer: ENEMALTA

Product: Premium Unleaded Gasoline EN228 10 ppm S with seasonality as per your tender document

Quantity: 6 cargoes of 7,300 metric tonnes +/- 10% at Seller's option.

Duration of Contract: Buyer has the right to terminate the contract at any time by giving one month's notice, without any obligation to take up any undelivered cargoes and without any penalty.

Delivery: CIF one safe port/one safe berth Birzebbuga Shell Pier, Malta in full or part-cargo in one or more lots. Berth limitations: Draft 9m; LOA 120m.

Tentative delivery period: as per your tender document

Scheduling Clause: Buyer will nominate a 5-day delivery period, latest 30 days prior to the 1st day of the 5-day delivery period. Seller will confirm the 5-day delivery period or advise changes, latest 14 days prior to the first day of the 5-days delivery period. Furthermore, the 5-day delivery period shall be narrowed by seller to a 3-day delivery range upon seller's nomination of the performing vessel.

Price: Based on B/L quantity at loadport (save fraud or manifest error) CIF Malta in US Dollars per metric ton in air as follows:

OPTION #A: For a given month (M) of nominated delivery, unless the Seller declares not later than the 25th of (M-1), as pricing period, the average of all available high quotations for "Premium Gasoline 10ppm" as published during the whole month (M-1) by Platt's European Marketscan under the heading "Mediterranean Cargoes" and "CIF MED (Genoa/Lavera)" plus a premium of +11.96 (eleven point ninety-six) US Dollars per metric ton, the pricing will be the average of all available high quotations for "Premium Gasoline 10ppm" as published during the whole month (M) by Platt's European Marketscan under the heading "Mediterranean Cargoes" and "CIF MED (Genoa/Lavera)" plus a premium of +11.96 (eleven point ninety-six) US Dollars per metric ton.

OPTION #B: For a given month (M) of nominated delivery, the pricing will be the average of all available high quotations for "Premium Gasoline 10ppm" as published during the whole month (M) by Platt's European Marketscan under the heading "Mediterranean Cargoes" and "CIF MED (Genoa/Lavera)" plus a premium of +13.96 (thirteen point ninety-six) US Dollars per metric ton.

The price will be escalated/de-escalated on a basis of 0.755 against actual density on B/L quantity.

The quantity to be invoiced will be the metric ton quantity reported on the Bills of Lading measured in air.

Buyer is to declare price option upon award of the tender.

Payment: In US Dollars in full, without discount withholding, offset or counterclaim by wire transfer not later than 30 calendar days after NOR tendered at disport against usual shipping documents. Buyer shall open at his own expense a Stand-by Letter of Credit to be issued or confirmed by a first class bank and in a format both to be

acceptable to Seller not later than 10 calendar days prior to the 1st day of the contractual loading date range.

Quality and Quantity ascertainment: As per standar pratice at loadport.

Inspection: A mutually acceptable independent inspector is to be appointed at loadport. Costs of inspection will be shared equally by Seller and Buyer.

Laytime: 30 hours + 6 SHINC, weather and/or sea conditions permitting or not

Demurrage: As per charter party rate, terms and conditions.

Other: As per last contract between TOTSA Total Oil Trading SA and ENEMALTA

Security Stocks: As per last contract between TOTSA Total Oil Trading SA and ENEMALTA, 12,000 mt of security stock category 1 will be made available at the end of each month during the period Feb-Sep, 2011 at Oiltanking Amsterdam.

Validity: till today 18th January, 2011 at 7pm LT

Kind Regards,

Romualdo Padovano  
TOTSA Total Oil Trading S.A.  
Office: + 41.22.710.17.60  
Cell: + 41.79.356.27.65  
Yahoo ID: totsa\_padovano

# Tracking

Message Details	
<b>Envelope and Header Information</b>	
Sender:	romualdo.padovano@enemalta.com.mt
Recipient(s):	chairman.emc@enemalta.com.mt
Subject:	*Confidential: Our offer of EN228
Message-ID Header:	01556725CD/D/2D1EGB-ONE/207A1C0049A950-C12
Message Size:	12.36 (KB)
Receiving IP:	10.91.141.24
Received Time:	January 18, 2011 13:38:57 +0100
SMTP Authenticated User Id:	N/A
<b>Sending Host Information</b>	
IP Address:	10.91.141.24
Reverse DNS hostname:	mail.marshal02.par.local.bn73.wellnet.hk
SPF score:	None
<b>Message Processing</b>	
January 18, 2011 13:38:57 +0100	Message arrived
January 18, 2011 13:38:57 +0100	Message matched all recipient specific policy: DEFAULT
January 18, 2011 13:38:57 +0100	Message processed by Sophos Anti-Virus: Verdict: Not
January 18, 2011 13:38:57 +0100	Message queued for delivery
<b>Message Delivery</b>	
January 18, 2011 13:39:01 +0100	Message successfully delivered to chairman.emc@enemalta.com.mt Message accepted for delivery

----- Forwarded by Romualdo PADOVANO/GENEVA/TRADING/Corp on 19/01/2011 10:18 -----

From: Romualdo PADOVANO/GENEVA/TRADING/Corp  
 To: [chairman.emc@enemalta.com.mt](mailto:chairman.emc@enemalta.com.mt)  
 Cc: Jan Iversen/GENEVA/TRADING/Corp@TRADING, Jonathan Broome/GENEVA/TRADING/Corp@TRADING  
 Date: 18/01/2011 13:36  
 Subject: \*Confidential: Our offer of EN228