

RULE 9. The Unit Operator, on the request of an operator providing information and materials pursuant to Rule 5 (a) through (c) above or any other applicable provision of these Special Project Rules and Operating Procedures, shall treat all or any part of such information and materials as confidential and shall prevent their release to any third parties, except that this confidentiality provision shall not cover such information and materials that (1) is or becomes generally available to the public other than as a result of a disclosure by Unit Operator or an affiliate in violation of this provision; (2) Unit Operator or an affiliate possessed on a non-confidential basis prior to its receipt of that information from such operator; or (3) Unit Operator or an affiliate is obligated to disclose by law, subpoena or the order of a court or other governmental entity having jurisdiction.