United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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NEW ORLEANS, LA 70130

January 09, 2018

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing
            or Rehearing En Banc

    No. 14-31383   Warren Lester, et al v. Exxon Mobil
                    Corporation, et al
                    USDC No. 2:14-CV-1824
                    USDC No. 2:14-CV-1840

Enclosed is a copy of the court's decision. The court has entered
judgment under FED R. APP. P. 36. (However, the opinion may yet
contain typographical or printing errors which are subject to
correction.)

FED R. APP. P. 39 through 41, and 5TH Cir. R.s 35, 39, and 41 govern
costs, rehearings, and mandates. **5TH Cir. R.s 35 and 40 require
you to attach to your petition for panel rehearing or rehearing en
banc an unmarked copy of the court's opinion or order.** Please
read carefully the Internal Operating Procedures (IOP's) following
FED R. APP. P. 40 and 5TH CIR. R. 35 for a discussion of when a
rehearing may be appropriate, the legal standards applied and
sanctions which may be imposed if you make a nonmeritorious
petition for rehearing en banc.

Direct Criminal Appeals. 5TH CIR. R. 41 provides that a motion for
a stay of mandate under FED R. APP. P. 41 will not be granted simply
upon request. The petition must set forth good cause for a stay
or clearly demonstrate that a substantial question will be
presented to the Supreme Court. Otherwise, this court may deny
the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court
and/or on appeal, and are considering filing a petition for
certiorari in the United States Supreme Court, you do not need to
file a motion for stay of mandate under FED R. APP. P. 41. The
issuance of the mandate does not affect the time, or your right,
to file with the Supreme Court.

Court Appointed Counsel. Court appointed counsel is responsible
for filing petition(s) for rehearing(s) (panel and/or en banc) and
writ(s) of certiorari to the U.S. Supreme Court, unless relieved
of your obligation by court order. If it is your intention to
file a motion to withdraw as counsel, you should notify your client
promptly, **and advise them of the time limits for filing for
rehearing and certiorari**. Additionally, you MUST confirm that

this information was given to your client, within the body of your
motion to withdraw as counsel.

The judgment entered provides that plaintiffs-appellants pay to
defendants-appellees the costs on appeal.

                              Sincerely,

                              LYLE W. CAYCE, Clerk

                              Erica Benoit

                              By: _____
                              Erica A. Benoit, Deputy Clerk

Enclosure(s)

Ms. Bettye Anne Barrios
Mr. Mark Edward Best
Mr. Jacques F. Bezou
Ms. Lauren Raili Bridges
Mr. Frank M. Buck Jr.
Mr. Michael P. Cash
Mrs. Shannon Shelton Cobb
Mr. Charles Bruce Colvin
Ms. Michele Hale DeShazo
Mr. Caleb H. Didriksen III
Mr. Jarrett Stephen Falcon
Mr. Timothy John Falcon
Mr. Brett Patrick Fenasci
Mr. Christoffer C. Friend
Mr. Joseph Ignatius Giarrusso III
Ms. Amanda Wingfield Goldman
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