

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

COTTON BAYOU MARINA, INC. )  
d/b/a TACKY JACK’S RESTAURANT, )  
individually and on behalf of themselves )  
and all others similarly situated, )

Plaintiffs, )

vs. )

Civil Action No. 1:10-cv-00243-C

BP, plc, et al., )

Defendants. )

**MOTION OF HALLIBURTON ENERGY SERVICES, INC.  
FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendant, Halliburton Energy Services, Inc. (“HESI”), moves the Court to enter an order allowing HESI an additional thirty (30) days, to and including July 2, 2010, to file a response to the class action complaint filed in this case, with full reservation of all rights and defenses, and as grounds avers:

1. HESI was served with the class action complaint on May 13, 2010, and the current deadline for HESI to respond to the complaint is June 3, 2010.

2. HESI has been named in twenty-seven (27) class actions currently pending in Alabama federal courts and one (1) other case brought by an individual plaintiff pending in an Alabama federal court.

3. In addition, to date, HESI has been named in eighty-two (82) cases filed in federal and state courts in Texas, Louisiana, Mississippi, Georgia and Florida. Thus, there are more than one hundred (100) cases pending against HESI relating to the accident at issue.

4. HESI is still investigating the accident at issue and the oil spill resulting from the accident and is reviewing the numerous claims made against it in the more than one hundred (100) cases filed to date. These cases involve complicated facts and legal issues, including choice of law questions and possible motions pursuant to Rule 12(b) of the Federal Rules of Civil Procedure.

5. A Motion to Stay Proceedings Pending Transfer by the Judicial Panel on Multidistrict Litigation was filed by BP America Inc. and BP Products North America, Inc. on May 7, 2010, and HESI filed a Joinder in the Motion to Stay on May 17, 2010.

6. HESI requires the additional time requested to continue its investigation and research and to prepare a response to the complaint.

7. Undersigned counsel for HESI, Joseph P. H. Babington, personally contacted plaintiffs' counsel, John Tomlinson, concerning this motion, and Mr. Tomlinson advised that plaintiffs opposed any extension at this time. Undersigned counsel for HESI would note, however, that counsel for plaintiffs in most of the other Alabama cases, in which HESI is named as a defendant, have agreed to thirty (30) day extensions, and HESI has filed or will shortly be filing unopposed motions concerning these agreed extensions.

8. HESI submits that an order granting this motion will not result in any prejudice to plaintiffs.

WHEREFORE, premises considered, HESI moves the Court to enter an order allowing it an additional thirty (30) days, to and including July 2, 2010, to file a response to the class action complaint, with full reservation of all HESI's rights and defenses.

Respectfully submitted this 19<sup>th</sup> day of May, 2010.

**GODWIN RONQUILLO PC**

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**ATTORNEYS FOR DEFENDANT,  
HALLIBURTON ENERGY SERVICES, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this 19<sup>th</sup> day of May, 2010, a copy of the foregoing pleading was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record registered to receive electronic service by operation of the court's electronic filing system. I also certify that I have mailed this filing by United States Postal Service to all counsel of record who are not registered to receive electronic service by operation of the court's electronic filing system.

BP plc  
Through its agent for service of process  
CT Corporation System  
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Plantation, FL 33324

**/s/ Joseph P. H. Babington**  
Of counsel