

# In the United States Court of Federal Claims

Nos. 17-1189L, 17-1191L, 17-1194L, 17-1195L, 17-1206L, 17-1215L, 17-1216L  
17-1232L, 17-1235L, 17-1277L, 17-1303L, 17-1300L, 17-1332L, 17-1390L,  
17-1374L, 17-1391L, 17-1393L, 17-1394L, 17-1395L, 17-1396L, 17-1397L,  
17-1398L, 17-1399L, 17-1408L, 17-1409L, 17-1423L, 17-1427L, 17-1428L,  
17-1430L, 17-1433L, 17-1434L, 17-1435L, 17-1436L, 17-1437L, 17-1438L,  
17-1439L, 17-1450L, 17-1451L, 17-1453L, 17-1454L, 17-1456L, 17-1457L,  
17-1458L, 17-1459L, 17-1460L, 17-1461L

Filed: October 10, 2017

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Y AND J PROPERTIES, LTD., \*  
*individually and on behalf of all other* \*  
*persons similarly situated,* \*  
Plaintiffs, \*

BRYANT BANES, NEVA BANES, \*  
CARLTON JONES, AND NB RESEARCH, \*  
INC., *on behalf of themselves and others* \*  
*similarly situated,* \*  
Plaintiffs, \*

MATTHEW SALO AND GABRIELA SALO,\*  
*on behalf of themselves and all other similarly* \*  
*situated persons and entities,* \*  
Plaintiffs, \*

ANGELA BOUZERAND, WAYNE \*  
PESEK, AMY PESEK, AND FRED PAUL \*  
FRENGER, *individually and on behalf of all* \*  
*other similarly situated,* \*  
Plaintiffs, \*

VAL ANTHONY ALDRED, HAGAN \*  
HAMILTON HEILIGBRODT, WILLIAM \*  
LANGE KRELL, JR., BEVERLY FECEL \*  
KRELL, AND SHAWN S. WELLING, \*  
*appearing individually and on behalf of* \*  
*all persons similarly situated,* \*  
Plaintiffs, \*

KENNETH LEE SMITH AND \*  
CONSTANCE SMITH, \*  
Plaintiffs, \*

GARNER TIP STRICKLAND, IV AND  
MEGAN K. STRICKLAND,  
Plaintiffs,

\*  
\*  
\*

BONNIE CLARK GOMEZ AND  
JORGE L. GOMEZ,  
Plaintiffs,

\*  
\*  
\*

VIRGINIA MILTON AND ARNOLD  
MILTON, *on behalf of themselves and all  
other similarly situated persons*,  
Plaintiffs,

\*  
\*  
\*

CHRISTINA MICU, *and all others  
similarly situated*,  
Plaintiffs,

\*  
\*  
\*

ANTHONY ARRIAGA, *et al.*,  
Plaintiffs,

\*  
\*  
\*

WAYNE HOLLIS, JR. AND PEGGY  
HOLLIS, *individually and on behalf of all  
other similarly situated*,  
Plaintiffs,

\*  
\*  
\*

BASIM MOUSILLI,  
Plaintiff,

\*  
\*  
\*

HENRY DE LA GARZA AND RANDY  
DE LA GARZA,  
Plaintiffs,

\*  
\*  
\*

SANDRA JACOBSON, *et al.*,  
Plaintiffs,

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\*  
\*

MARTHA POLLOCK,  
Plaintiff,

\*  
\*  
\*

MARY KHOURY,  
Plaintiff,

\*  
\*  
\*

AGL, LLC AND JONATHAN LEVY,  
Plaintiffs,

\*  
\*  
\*

LUDWIGSEN FAMILY LIVING TRUST \*  
AND CHARLES LUDWIGSEN, \*  
Plaintiffs, \*  
\*  
GERARDO REYES, \*  
Plaintiff, \*  
\*  
VANESSA VANCE, \*  
Plaintiff, \*  
\*  
LISA ERWIN, \*  
Plaintiff, \*  
\*  
MARYAM JAFARNIA, \*  
Plaintiff, \*  
\*  
EMILIANO BRUZOS, *et al.*, \*  
Plaintiffs, \*  
\*  
EDGAR ABLAN, *et al.*, \*  
Plaintiffs, \*  
\*  
DELFINA GOVIA, \*  
Plaintiff, \*  
\*  
BURTON AND TOSHIKO HERING, \*  
Plaintiffs, \*  
\*  
FAITH LEWIS, \*  
Plaintiff, \*  
\*  
ADRIENNE AND JEREMY MURRAY, \*  
Plaintiffs, \*  
\*  
JARRET VENGHAUS, \*  
Plaintiff, \*  
\*  
JACK RUSSO, \*  
Plaintiff, \*  
\*  
JOSEPH NEAL, \*  
Plaintiff, \*  
\*  
IGOR EFFIMOFF, \*  
Plaintiff, \*

ANIL THAKER,	*
Plaintiff,	*
	*
JANE GILLIS,	*
Plaintiff,	*
	*
WILLIAM E. AND LAURA A. WOLF,	*
Plaintiffs,	*
	*
MEMORIAL SMC INVESTMENT 2013 LP,	*
Plaintiff,	*
	*
CEBALLOS, <i>et al.</i> ,	*
Plaintiffs,	*
	*
DRONE, <i>et al.</i> ,	*
Plaintiffs,	*
	*
WILLIAMSON, <i>et al.</i> ,	*
Plaintiffs,	*
	*
MEADOWS ON MEMORIAL OWNERS	*
ASSOCIATION, INC., <i>et al.</i> ,	*
Plaintiffs,	*
	*
BE MEMORIAL REALTY LTD.,	*
Plaintiff,	*
	*
CUTLER, <i>et al.</i> ,	*
Plaintiffs,	*
	*
CHERYL L. HANKINSON,	*
Plaintiff,	*
	*
TITA, <i>et al.</i> ,	*
Plaintiffs,	*
	*
v.	*
	*
THE UNITED STATES,	*
Defendant.	*
	*
*****	

**Michael D. Sydow**, The Sydow Firm, Houston, Texas, Counsel for Plaintiff.

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**Derek Heath Potts**, Potts Law Firm, LLP, Houston, Texas, Counsel for Plaintiffs.

**Jacqueline Camille Brown**, United States Department of Justice, Environmental and Natural Resources Division, Washington, D.C., Counsel for the Government.

### **NOTICE**

On October 6, 2017, the court convened a status conference in the above-captioned cases at the United States District Court for the Southern District of Texas, 515 Rusk Street, Houston, Texas 77002. During the October 6, 2017 Status Conference, the court informed the parties that a conflict of interest existed, because Mr. Douglas H. Hallward-Driemeier of Ropes & Gray LLP expressed his intent to act as Of Counsel on behalf of Plaintiffs in *Aldred, et al. v. United States*, No. 17-1206, and the undersigned's husband was a partner at Ropes & Gray LLP and continues to receive pension payments from the firm. During the October 6, 2017 Status Conference, to address this conflict of interest, the undersigned informed the parties that the court would issue a Notice Concerning Waiver Of Judicial Disqualification, pursuant to Canon 3D of the Code of Conduct for United States Judges.

On October 8, 2017, however, Plaintiffs in *Aldred* filed a Notice Of Withdrawal Of Counsel, notifying the court that Ropes & Gray LLP has withdrawn as counsel for Plaintiffs and that Ropes & Gray LLP has no further financial interest in *Aldred* or any related cases.

In light of Ropes & Gray LLP's withdrawal as counsel, the court has determined that the conflict of interest no longer exists and it is no longer necessary for the court to issue a Notice Concerning Waiver Of Judicial Disqualification.

s/ Susan G. Braden  
**SUSAN G. BRADEN**  
**Chief Judge**