

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 MAY 26 PM 4: 20

LORETTA G. WHYTE
CLERK



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JOE KEITH SMITH

CIVIL ACTION

VERSUS

NO. 04-3126

OFFSHORE SPECIALTY
FABRICATORS, INC.

SECTION "D" (2)

ORDER

The court, after considering the complaint in intervention, the record, the applicable law and the Magistrate Judge's Report and Recommendation, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion. Accordingly,

IT IS ORDERED that plaintiff's Motion to Compel Settlement and for Attorney's Fees/Costs is DENIED and the captioned case is REOPENED for further proceedings as provided herein.

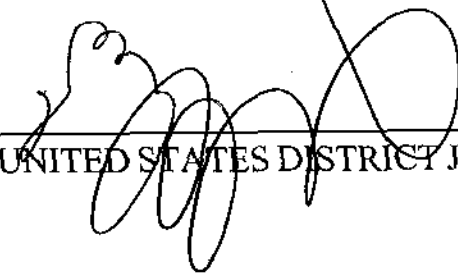
the "motion for Evidentiary Hearing" filed by Rest & Kappel and

IT IS FURTHER ORDERED that the claims asserted in the intervention concerning the appropriate sharing, if any, between plaintiff's counsel and the intervenors of the stipulated attorney's fee is hereby REFERRED to Magistrate Judge Wilkinson for

Fee _____
Process _____
 Dktd _____
CtRmDep _____
Doc. No. _____

preparation of findings and recommendations, following a settlement conference concerning this issue, which Magistrate Judge Wilkinson will conduct.

New Orleans, Louisiana, this 25 day of May, 2006.



UNITED STATES DISTRICT JUDGE