

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CEDYCO CORPORATION

CIVIL ACTION

VERSUS

NO: 07-3184

LOUIS O'NEIL SUARD, JR., ET
AL.

SECTION: "A" (3)

ORDER AND REASONS

Before the Court is a **Motion to Review Magistrate's Order Denying Defendants' Motion for Protective Order and Defendants' Motion to Amend Scheduling Order (Rec. Doc. 136)** filed by defendants Louis O'Neil Suard, Jr. a/k/a Neil Suard, Suard Barge Service, Inc., Baby Oil, Inc., Premier Service, Inc., and Texas Injection, LP. Plaintiff Cedyco Corp. opposes the motion. The motion, set for hearing on October 15, 2008, is before the Court on the briefs without oral argument.¹

Plaintiff has alleged *inter alia* RICO claims against the

¹ Oral argument has been requested but the Court is not persuaded that oral argument would assist the Court in ruling on this motion.

defendants pertaining to charges imposed against revenue for operating the CL&F #2 well located in Terrebonne Parish, Louisiana. Trial on the merits is set for March 30, 2009.

Throughout this litigation Defendants have challenged Plaintiff's standing to bring this lawsuit by questioning Plaintiff's ownership interest in the subject well. Defendant moved for a protective order to limit discovery to the threshold issue of whether Cedyco owns a valid working interest in the well. The assigned magistrate judge denied the motion for protective order after concluding that the Court's current scheduling order would not permit for such bifurcated discovery, (Rec. Doc. 135), and it is that ruling that Defendants now ask this Court to review.

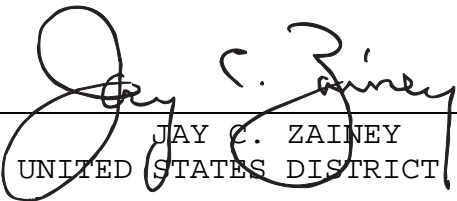
The motion is DENIED in all respects. This case has been pending since June of 2007 and staged discovery would only delay this matter even further. Plaintiff is entitled to full discovery and the magistrate judge correctly denied the request for a protective order.

Accordingly, and for the foregoing reasons;

IT IS ORDERED that the **Motion to Review Magistrate's Order Denying Defendants' Motion for Protective Order and Defendants' Motion to Amend Scheduling Order (Rec. Doc. 136)** filed by defendants Louis O'Neil Suard, Jr. a/k/a Neil Suard, Suard Barge

Service, Inc., Baby Oil, Inc., Premier Service, Inc., and Texas
Injection, LP. is **DENIED**.

October 20, 2008



JAY C. ZAINY
UNITED STATES DISTRICT JUDGE