

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

HORNBECK OFFSHORE SERVICES, L.L.C., ET AL.	*	CIVIL ACTION
VERSUS	*	NO.: 10-1663 (F)(2)
KENNETH LEE "KEN" SALAZAR, IN HIS OFFICIAL CAPACITY AS SECRETARY, UNITED STATES DEPARTMENT OF INTERIOR;	*	SECTION "F" JUDGE FELDMAN
UNITED STATES DEPARTMENT OF INTERIOR;	*	
ROBERT "BOB" ABBEY, IN HIS OFFICIAL CAPACITY AS ACTING DIRECTOR, MINERALS MANAGEMENT SERVICE; AND MINERALS MANAGEMENT SERVICE	*	MAGISTRATE "2" MAGISTRATE WILKINSON
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**MEMORANDUM IN SUPPORT OF MOTION
FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

MAY IT PLEASE THE COURT:

The Offshore Marine Services Association ("OMSA") represents more than 250 member companies, including 110 companies operating 1,200 marine service vessels. The remaining 140 members include shipyards, surveyors, and vessel equipment manufacturers and distributors. A motion to dismiss was filed by defendants in this action (CM/ECF Doc. No. 125), which motion is set for hearing on August 11, 2010 at 10:00 AM before this Honorable Court. OMSA submits this amicus brief in support of the plaintiffs' opposition to the defendants' motion to dismiss (CM/ECF Doc. No. 134).

Defendants claim the July 12, 2010 decision memorandum has a new justification, but it has the same effect on OMSA's members as the May 28, 2010 moratorium. These companies, evidenced in the affidavits attached to OMSA's proposed amicus curiae brief, are losing work and their employees are at risk of losing their jobs because of the moratorium. Unless enjoined with finality, the moratorium will cause substantially greater harm by creating an atmosphere of uncertainty. A delay in adjudication on the moratorium is no different than upholding it because further uncertainty will result in more lost jobs and businesses closed. As this Court has already concluded, "the issues [in this litigation] are of national significance and to delay resolution would be irresponsible." OMSA and its members—vessel operators, shipyards, and marine equipment and service suppliers—have a material interest in the outcome of this litigation.

WHEREFORE, OMSA moves for leave to file the attached amicus curiae brief.

Respectfully submitted,
DUNCAN, COURINGTON & RYDBERG, L.L.C.

Kelley A. Sevin
/s/

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been electronically filed with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record, this 23rd day of July, 2010.

Kelley A. Sevin
/s/