

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

**HORNBECK OFFSHORE SERVICES, LLC,
et al.**

Plaintiffs,

v.

**KENNETH LEE "KEN" SALAZAR, in his
official capacity as Secretary, United States
Department of the Interior; UNITED
STATES DEPARTMENT OF THE
INTERIOR; MICHAEL R. BROMWICH, in
his official capacity as Director, Bureau of
Ocean Energy Management, Regulation, and
Enforcement; and BUREAU OF OCEAN
ENERGY MANAGEMENT, REGULATION,
AND ENFORCEMENT,**

Defendants.

CIVIL ACTION No. 10-1663(F)(2)

SECTION F

JUDGE FELDMAN

MAGISTRATE 2

MAGISTRATE WILKINSON

DEFENDANTS' EX PARTE MOTION FOR LEAVE TO FILE REPLY BRIEF

Pursuant to Local rule 7.8.1E, Defendants, Kenneth Lee Salazar, the United States Department of the Interior, Michael R. Bromwich, and the Bureau of Ocean Energy Management Regulation and Enforcement (collectively "Defendants"), hereby request leave to file a reply brief in support of their Motion to Dismiss Plaintiffs' Complaint or, in the Alternative, for a Stay of Proceedings Pending Circuit Court's Decision on Defendants' Motion to Vacate the Preliminary Injunction ("Motion to Dismiss").

Defendants filed their Motion to Dismiss on July 12, 2010. Dkt. #125. Plaintiffs filed their Response in Opposition to Defendants' Motion to Dismiss (the "Response") on July 20, 2010. Dkt. #134. Permitting Defendants to file a reply brief would be helpful to more fully address the issues raised in Plaintiffs' Response. The Response consists of arguments focusing

primarily on two exceptions to the mootness doctrine. Defendants should have an opportunity to reply to that discussion since the applicability of those exceptions will be important to the Court's determination of the Motion to Dismiss. The proposed reply is thus necessary to ensure that these issues are fully developed for the Court's consideration. Defendants' proposed reply brief is submitted as an exhibit to this Motion. Defendants respectfully submit that the granting of this Motion will not delay the proceedings or prejudice the parties.

Respectfully submitted this 28th day of July, 2010.

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Environment and Natural Resources Division/s/

/s/ Guillermo A. Montero
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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2010, I caused a copy of the foregoing to be served through the Court's CM/ECF System to all parties.

/s/Guillermo A. Montero
Guillermo A. Montero
Attorney for Defendants