

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

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

Plaintiffs,

v.

KENNETH LEE "KEN" SALAZAR, et al,

Defendants.

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

SECTION F

JUDGE FELDMAN

**MAGISTRATE 2
MAGISTRATE WILKINSON**

DECLARATION OF NEAL KEMKAR

I, Neal Kemkar, state the following:

1. I am the Special Assistant to the Counselor to the Secretary of the U.S. Department of the Interior ("DOI").

2. Among other duties, I was involved in the preparation of DOI's May 28, 2010, Decision ("May Directive"), in which the Secretary of the Interior, Ken Salazar, directed the Director of the Minerals Management Service (subsequently reorganized and renamed the Bureau of Ocean Energy Management, Regulation and Enforcement ("BOEMRE")), to suspend certain deepwater drilling operations on the Outer Continental Shelf. In this capacity, I preserved and helped compile documents directly or indirectly considered for the May Directive and have first-hand knowledge of those documents.

3. I have been asked to assist in the preparation of a table comparing the Administrative Record documents that relate exclusively to the Directive issued on July 12, 2010 ("July Directive")

– in which Secretary Salazar directed the BOEMRE Director, Michael Bromwich, to issue a new suspension of deepwater drilling on the OCS – to those record documents that relate to both the July Directive and its predecessor, the May Directive (the “Table”).

4. The Table, which I understand will be submitted to the Court as an attachment to the Declaration of Raya Bakalov, lists significant findings and/or conclusions from the July Directive and identifies significant Administrative Record evidence that supports each finding and/or conclusion. The information in the Table is organized so that each referenced document or group of documents is listed under the proposition in the July Directive to which it relates.

5. I was asked to identify documents in the Administrative Record for the July Directive that were also considered with respect to the May Directive. In the time allotted, it was not possible to itemize all such documents for each of the propositions in the Table because the Administrative Record for the July Directive contains over 1,200 documents, totaling over 28,000 pages. I have included in the Table as many of the relevant documents as I was able to identify in the time allotted.

6. To the best of my knowledge, evidence that was considered, directly or indirectly, in the context of decision-making for both the May and July Directives is listed in the left-hand column of the Table. This evidence was taken from the Administrative Record for the July Directive, and my assertion that it was considered in the context of both the May and July Directives is based on my personal knowledge, my involvement in the May decision process, and my inquiries of other DOI and BOEMRE personnel.

7. I have also been asked to assist in the preparation of an Index which identifies “evidence upon which the Secretary relied in issuing the July 12 Moratorium and [which was] not asserted in the May 28 Moratorium.” To the best of my knowledge, all of the documents upon which the Secretary relied in issuing the July Directive, and which were available to the Secretary prior to

May 28, were also considered, directly or indirectly, in the course of the decision process for the May Directive.

8. I swear under penalty of perjury that the foregoing information is true, accurate, and complete.

Dated this 23 day of August, 2010.


Neal Kemkar