

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

HORNBECK OFFSHORE SERVICES, *
L.L.C., *
Plaintiff *

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

VERSUS *

SECTION F

KENNETH LEE "KEN" SALAZAR, *
IN HIS OFFICIAL CAPACITY AS *
SECRETARY, UNITED STATES *
DEPARTMENT OF INTERIOR; *
UNITED STATES DEPARTMENT *
OF INTERIOR; ROBERT "BOB" *
ABBEY, IN HIS OFFICIAL *
CAPACITY AS ACTING DIRECTOR, *
MINERALS MANAGEMENT *
SERVICE; AND MINERALS *
MANAGEMENT SERVICE, *
Defendants *

JUDGE FELDMAN

MAGISTRATE 2
MAGISTRATE WILKINSON

* * * * *

DECLARATION OF JAMES W. NOE

Pursuant to 28 U.S.C. § 1746, I, James W. Noe, declare under penalty of perjury that the foregoing is true and correct:

1.

I am a person of full age of majority and competent to testify to the following facts, of which I have personal knowledge.

EXHIBIT
A

2.

I am currently the Executive Director of the Shallow Water Drilling Coalition (“SWDC”) and the Senior Vice President, General Counsel and Chief Compliance Officer of Hercules Offshore, Inc. The SWDC is a coalition of operators, lessees, drilling contractors, service companies, and others dedicated to removing the current bureaucratic gridlock that exists in the oil and gas industry in the Gulf of Mexico and other issues arising in the aftermath of the Deepwater Horizon tragedy.

3.

I am familiar with the two offshore drilling moratoria imposed by the Secretary of the Department of the Interior, Ken Salazar. I am also familiar with litigation challenging the moratoria, including the Hornbeck Litigation.

4.

On June 28, 2010, I attended a meeting at the U.S. Department of the Interior between many oil and gas industry representatives, drilling company representatives, trade associations and senior members of the U.S. Department of the Interior (DOI), including Secretary Salazar and Bureau of Ocean Energy Management, Regulation, and Enforcement Director Michael Bromwich. Also in attendance at the meeting was U.S. Department of the Interior Assistant Secretary Tom Strickland. This meeting occurred after the Court in the Hornbeck Litigation had enjoined the first deepwater drilling moratorium and before a second moratorium had been issued.

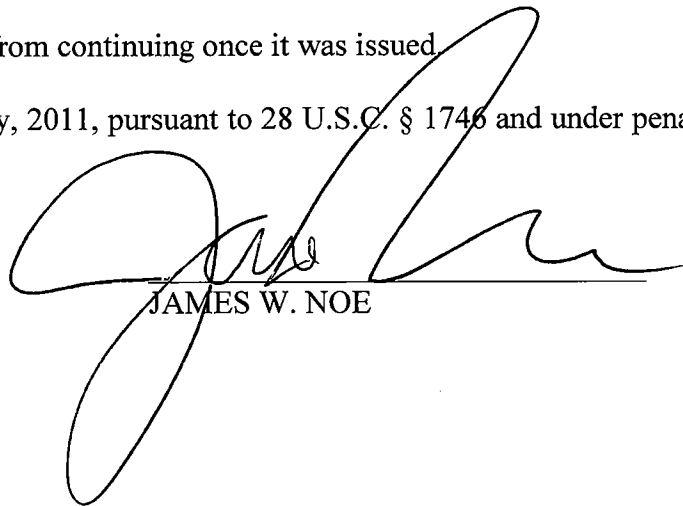
5.

The meeting was requested by Secretary Salazar. Various subjects concerning deepwater drilling activities were discussed, including issues related to industry's readiness to respond to a second oil spill.

6.

Near the conclusion of the meeting Dr. Lee Hunt, who is the Chief Executive Officer of the International Association of Drilling Contractors (IADC) asked the representatives of the government that were present, which included Secretary Salazar and Director Bromwich, whether deepwater drilling in the Gulf of Mexico was permitted to resume at that time, given the existence of an injunction against the previously issued deepwater drilling moratorium. In response to his question, Mr. Strickland indicated that it was the intention of the DOI to issue a second moratorium. Mr. Strickland's statement was taken by me to be a signal that the cost and expense of resuming drilling should not be undertaken by industry because the second moratorium would prevent that activity from continuing once it was issued.

Executed this 28th day of January, 2011, pursuant to 28 U.S.C. § 1746 and under penalty of perjury.



JAMES W. NOE