

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**HORNBECK OFFSHORE SERVICES,
L.L.C.,** * **CIVIL ACTION NO. 10-1663(F)(2)**
Plaintiff *

VERSUS * **SECTION F**

**KENNETH LEE “KEN” SALAZAR, IN HIS
OFFICIAL CAPACITY AS SECRETARY,
UNITED STATES DEPARTMENT OF
INTERIOR; UNITED STATES
DEPARTMENT OF INTERIOR;** * **JUDGE FELDMAN**
*

**ROBERT “BOB” ABBEY, IN HIS OFFICIAL
CAPACITY AS ACTING DIRECTOR,
MINERALS MANAGEMENT SERVICE;** * **MAGISTRATE 2**
AND MINERALS MANAGEMENT SERVICE, * **MAGISTRATE WILKINSON**
*

Defendants

* * * * *

**MEMORANDUM IN SUPPORT OF PLAINTIFFS’ EX PARTE MOTION FOR LEAVE
TO FILE SUPPLEMENTAL DECLARATION AND SUPPLEMENTAL APPENDIX**

NOW INTO COURT, through undersigned counsel, come Plaintiffs, Hornbeck Offshore Services, L.L.C., the Chouest Entities and the Bollinger Entities (“Plaintiffs”), which respectfully submit this memorandum in support of their ex parte motion for leave to file a supplemental declaration and supplemental appendix in connection with their Motion to Set Amount of Attorney’s Fees and Costs (Rec. Doc. 233). The purpose of the supplemental declaration and supplemental appendix is solely to address the time spent and expenses incurred on this matter

by Jones, Walker in the month of February of 2011.¹ The declarations and appendix filed on February 18, 2011 in support of Plaintiffs' Motion to Set Attorney's Fees and Costs addressed the fees and costs billed to Plaintiffs only through January of 2011. Indeed, in Carl D. Rosenblum's declaration in support of Plaintiffs' Motion to Set Amount of Attorney's Fees and Costs, he indicated that additional fees and costs were being incurred beyond those submitted, which covered only through January 2011, and that he may amend his declaration to cover additional fees and costs. Rec. Doc. 233-2 at ¶ 22. Plaintiffs therefore ask this Court for leave to file a supplemental declaration and supplemental appendix to provide the Court with appropriate evidence of the additional \$50,578.69 amount they seek in attorney's fees and costs, which were incurred by Plaintiffs in February 2011 for worked performed by Jones, Walker.

If leave to file is granted, Plaintiffs request that the supplemental appendix, which consists of Jones, Walker's February 2011 billings, be filed into the record under seal pursuant to the Court's Order of February 10, 2011, which authorizes Plaintiffs to file their counsel's billings under seal (Rec. Doc. 231). Plaintiffs' counsel requested the consent of Federal Defendants' counsel to the filing of the proposed supplement, and Federal Defendants do not oppose its filing. Plaintiffs' counsel likewise agreed that Federal Defendants should have the right to respond to it.

Plaintiffs therefore respectfully request leave to file a supplemental declaration and a supplemental appendix, under seal, to address Jones, Walker's February 2011 billings to Plaintiffs in this matter, which total \$50,578.69 and result in an increase in the fees and costs

¹ Plaintiffs recognize that this Court previously ordered that, after Plaintiffs filed their initial motion and the Federal Defendants filed their opposition memorandum, the parties would not be permitted to file any further briefing (Rec. Doc. 228). In accordance with that Order, Plaintiffs limit their proposed supplemental declaration and supplemental appendix exclusively to Jones, Walker's February 2011 billings and, in them, neither raise nor respond to any legal arguments related to Plaintiffs' right to recover the attorney's fees and costs previously submitted or those that Plaintiffs seek leave to submit.

award requested by Plaintiffs by that amount for a total award of \$1,185,462.89 (\$1,134,884.20 plus \$50,578.69).

Respectfully submitted,

s/ Carl D. Rosenblum

CARL D. ROSENBLUM, T.A. (2083)
GRADY S. HURLEY (13913)
ALIDA C. HAINKEL (24114)
MARJORIE A. MCKEITHEN (21767)
JONES, WALKER, WAECHTER, POITEVENT,
CARRÈRE & DENÈGRE
201 St. Charles Avenue, 49th Floor
New Orleans, Louisiana 70170
Telephone: (504) 582-8000
Fax: (504) 589-8170
crosenblum@joneswalker.com

And

JOHN F. COONEY
(admitted Pro Hac Vice)
Venable LLP
575 7th Street, N.W.
Washington, D.C. 20004
Telephone: (202) 344-4812

**Attorneys for Plaintiffs,
Hornbeck Offshore Services, L.L.C.,
The Chouest Entities and The Bollinger Entities**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served upon all parties by email or by using the CM/ECF system which will send a Notice of Electronic filing to all counsel of record, this 24th day of March, 2011.

s/ Carl D. Rosenblum
