

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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HORNBECK OFFSHORE SERVICES, L.L.C.)	CIVIL ACTION NO. 10-1663(F)(2)
et al.)	
Plaintiffs,)	
)	
VERSUS)	
)	Section F
KENNETH LEE “KEN” SALAZAR, IN HIS)	Judge Martin L. C. Feldman
OFFICIAL CAPACITY AS SECRETARY,)	
UNITED STATES DEPARTMENT OF)	
INTERIOR; UNITED STATES)	
DEPARTMENT OF INTERIOR; ROBERT)	
“BOB” ABBEY, IN HIS OFFICIAL)	Magistrate 2
CAPACITY AS ACTING DIRECTOR,)	Magistrate Joseph C. Wilkinson, Jr.
MINERALS MANAGEMENT SERVICE;)	
AND MINERALS MANAGEMENT)	
SERVICE,)	
)	
Defendants.)	
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MEMORANDUM IN SUPPORT OF PLAINTIFFS’
MOTION FOR ENTRY OF FINAL JUDGMENT

NOW INTO COURT, through undersigned counsel, come Plaintiffs, Hornbeck Offshore Services, L.L.C., the Chouest Entities and the Bollinger Entities, which respectfully submit this Memorandum in Support of their Motion for Entry of Final Judgment filed pursuant to Rule 58 of the Federal Rules of Civil Procedure. As the Court is aware, due to the history of this matter,

its current procedural posture, as well as the current factual context of the original dispute between the parties, it is now appropriate for the Court's two substantive rulings in this matter concerning attorney's fees (Rec. Docs. 226 and 275) to be made part of a Final Judgment and for all of the remaining claims between the parties to be dismissed with prejudice.

This matter was filed on June 7, 2010 asserting numerous claims against Defendants. As a result of the Court's Order imposing a Preliminary Injunction and the Defendants' actions in response thereto, by Stipulation dated November 8, 2010 Plaintiffs indicated that the only remaining claim concerned the de facto moratorium issue. *See* Rec. Doc. 204. Since that time, the Court has addressed Plaintiffs' Motion for Recovery of Attorney's Fees and by Order dated February 2, 2011 granted such Motion (Rec. Doc. 226). In connection therewith, the Plaintiffs filed the Motion to Set Amount of Attorney's Fees as reimbursement for their losses arising from Defendants' contemptuous conduct, and by Order dated June 22, 2011 (Rec. Doc. 275) the Court awarded Plaintiffs \$528,801.18 in reasonable attorney's fees and \$444.33 for costs, revising and adopting as revised Magistrate Judge Wilkinson's Findings and Recommendation (Rec. Doc. 265).

Plaintiffs now wish to make those two prior Orders part of a Final Judgment so that if the parties wish to appeal those matters, the appellate schedule will commence forthwith and accrual of post judgment interest shall begin. *See Kaiser Aluminum & Chem. Corp. v. Bonjorno*, 494 U.S. 827, 839-40 (1990). In the same Final Judgment, all other claims between the parties should be dismissed with prejudice. Accordingly, the requirements for entry of Final Judgment under Rule 58(b) of the Federal Rules of Civil Procedure have been satisfied.

Plaintiffs note that the filing of this Motion for Entry of Final Judgment is with the understanding and desire that it will not prejudice Plaintiffs' ability to execute and collect on the

Court's prior two Orders concerning attorney's fees, once they are made part of a final judgment. As the prevailing parties, Plaintiffs respectfully request that court costs be taxed against Defendants. See Rule 54(d) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1920.

For the foregoing reasons, the Plaintiffs respectfully request that the Court enter Final Judgment in the form as set forth in the proposed Final Judgment attached hereto.

Respectfully submitted,

s/ Carl D. Rosenblum

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**Attorneys for Plaintiffs,
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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 13th day of July, 2011.

s/ Carl D. Rosenblum
