

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

HORNBECK OFFSHORE SERVICES,)
 LLC,)
 Plaintiff,)
))
 v.))
 KENNETH LEE “KEN” SALAZAR, in)
 his official capacity as Secretary, United)
 States Department of the Interior; ROBERT)
 “BOB” ABBEY, in his official capacity as)
 Acting Director, Mineral Management)
 Service; and MINERALS MANAGEMENT)
 SERVICE,)
 Defendants, and)
))
 DEFENDERS OF WILDLIFE, SIERRA)
 CLUB; FLORIDA WILDLIFE)
 FEDERATION, CENTER FOR)
 BIOLOGICAL DIVERSITY, AND)
 NATURAL RESOURCES)
 DEFENSE COUNCIL,)
 Defendant-Intervenors)
 _____)

Civil Action No. 10-1663(F)(2)

Section F

Judge Feldman

Magistrate 2

Magistrate Wilkinson

[PROPOSED] DEFENDANT-INTERVENORS' MOTION TO DISMISS

Upon being granted intervention, defendant-intervenors Defenders of Wildlife, Sierra Club, Florida Wildlife Federation, Center for Biological Diversity, and Natural Resources Defense Council hereby move to dismiss the First Supplemental and Amended Complaint for Declaratory and Injunctive Relief for lack of subject matter jurisdiction because plaintiffs failed to provide the required statutory pre-suit notice. Defendant-intervenors are submitting a memorandum in support of this motion and a proposed order.

Respectfully submitted, this 16th day of June, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2010, I electronically filed the foregoing with the Clerk of court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants:

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