

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

HORNBECK OFFSHORE SERVICES, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	No. 10-1663(F)(2)
KENNETH LEE “KEN” SALAZAR, in his	)	
official capacity as Secretary, United	)	SECTION F
States Department of the Interior;	)	
ROBERT “BOB” ABBEY, in his official	)	JUDGE FELDMAN
capacity as Acting Director, Mineral	)	
Management Service; and MINERALS	)	MAGISTRATE 2
MANAGEMENT SERVICE,	)	MAGISTRATE WILKINSON
	)	
Defendants.	)	
_____	)	

**MEMORANDUM IN SUPPORT OF MOTION FOR EXPEDITED HEARING ON  
MOTION TO INTERVENE**

Proposed Defendant-Intervenors Defenders of Wildlife, Sierra Club, Florida Wildlife Federation, Center for Biological Diversity, and Natural Resources Defense Council (collectively, “Applicants”), file this memorandum in support of their Motion for Expedited Hearing on their Motion to Intervene. On June 7, 2010, Hornbeck Offshore Services, LLC (“Hornbeck”) filed an action under the Outer Continental Shelf Lands Act (“OCSLA” or the “Act”) and Administrative Procedure Act (“APA”) against the Minerals Managements Service (“MMS”) and Kenneth Lee Salazar, and Robert Abbey, in their official capacities as Secretary of

the Department of the Interior and Acting Director of MMS, respectively. A first supplemental and amended complaint was filed two days later by Hornbeck and a number of other parties (collectively, "Plaintiffs"). Plaintiffs contend that the six-month moratorium on certain deepwater oil drilling in the outer continental shelf that Secretary Salazar issued on May 28, 2010 was arbitrary and capricious, in violation of APA and OCSLA, and accordingly have sought an order enjoining this moratorium. Amended Complaint at 13-14, 38. Plaintiffs have moved for a preliminary injunction enjoining the moratorium, for which the court has set a hearing date of June 21, 2010.

Applicants have aesthetic, recreational, environmental, and economic interests in the ecosystems in and around the Gulf Coast -- interests that are being protected by the moratorium. Because of these interests, Applicants have a strong desire to intervene in this case to oppose Plaintiffs' request for a preliminary injunction as well as any further proceedings addressing the propriety of the moratorium and the government's response to the Deepwater Horizon spill. As detailed in depth in Applicants' Motion to Intervene, their interests are not being adequately represented by the government, which, by virtue of its need to act in the general public interest may not raise the same arguments or have the same objectives as Applicants.

Given the short timeframe before the hearing on the motion for a preliminary injunction, Applicants believe there is good cause for expediting consideration of their Motion to Intervene. This case could well be resolved at the preliminary injunction stage, as the crux of Plaintiffs' claims involves the legal issues that will be resolved at that hearing, namely whether they are entitled to a nullification of the moratorium. If the court rules on that preliminary injunction without ruling on Applicants' intervention, Applicants will be unable to offer any arguments to protect their interests, and as a result those interests may be impaired.

WHEREFORE, Applicants respectfully request that this Court rule on the Motion to Intervene on or before the Court's scheduled hearing on Plaintiffs' Motion for a Preliminary Injunction, currently set for Monday, June 21, 2010 at 9:30 a.m.. A proposed order is attached.

Respectfully submitted, this 18th day of June, 2010.

/s John Suttles

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 18, 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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