

**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;
UNITED STATES DEPARTMENT OF
THE INTERIOR; ROBERT “BOB”
ABBEY, in his official capacity as Acting
Director, Mineral Management Service;
and MINERALS MANAGEMENT
SERVICE,**

Defendants.

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

SECTION F

JUDGE FELDMAN

**MAGISTRATE 2
MAGISTRATE WILKINSON**

**DEFENDANTS’ EX PARTE MOTION FOR LEAVE TO FILE EXHIBIT C TO THE
DECLARATION OF DAVID J. HAYES (DKT. #33-2)**

NOW COMES defendants, Kenneth Lee Salazar, the United States Department of the Interior, Robert Abbey, and the Mineral Management Service (“Defendants”), and move the Court for leave to file Exhibit C to the Declaration of David J. Hayes (Rec. Doc. 33-2), which was inadvertently omitted from Mr. Hayes’ declaration. In support of their motion, Defendants aver that,

1. Defendants filed their opposition memorandum to plaintiffs’ motion for preliminary injunction (Dkt. #33)¹. Attached to Defendants’ opposition memorandum was the Declaration of David J. Hayes (Rec. Doc. 33-2.) When Defendants’ opposition was filed, Exhibit C to Rec. Doc. 33-2 was inadvertently omitted.

¹ Defendants originally filed their memorandum in opposition on June 16, 2010 (Rec. Doc. #28), which motion was deemed deficient because it exceeded the 25-page limit imposed by Local Rule 7.8.1E. Upon receipt of the deficiency notice, Defendants timely re-filed their memorandum in opposition, which is docketed as Record Document 33.

2. Subsequent to filing the opposition memorandum, undersigned counsel for the Defendants received a telephone call from Chambers indicating that Exhibit C to Mr. Hayes' Declaration (Dkt. #33-2) had not been attached to the Declaration and requesting that it be submitted.
3. The omission of Exhibit C was inadvertent.
4. In response to the Court's request, Defendants hereby request leave of Court to file into the record Exhibit C, which is attached hereto, in order to correct the inadvertent omission and complete the record.

WHEREFORE, the Defendants respectfully request that their motion for leave be granted. A proposed order is attached.

Dated: June 11, 2010

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/s/ Brian Collins
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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2010, I caused a copy of the foregoing to be served on all parties via the Court's CM/ECF system.

/s/ Brian Collins
Brian Collins
Attorney for Defendants