

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

**COTEMAR S.A. de C.V., EXETER  
MARINE LIMITED AND OCEAN  
OIL CONSTRUCTION AND  
SERVICES, S.A.R.L.**

**CIVIL ACTION**

**VERSUS**

**NO: 14-342**

**Motor Vessel BEAUFORT, in rem**

**SECTION: "S" (1)**

**ORDER AND REASONS**


**IT IS HEREBY ORDERED** that Defendant's Motion to Stay Pending a Final Decision After Appeal if Any in: Cotemar S.A. de C.V., et al. v. Hornbeck Offshore Services, Inc., et al., Civil Action No. 11-4409 (S.D. Tex.) (Doc. #52) is **GRANTED**.

The parties in this case contest whether proceeding in this forum is proper because the related case Cotemar S.A. de C.V., et al. v. Hornbeck Offshore Services, Inc., et al., Civil Action No. 11-4409 (S.D. Tex.), was dismissed for forum non convenes when the court held that Mexico would be a more appropriate forum. That decision was appealed to the United States Court of Appeals for the Fifth Circuit, which remanded the case to the district court for consideration of whether the arrest of the BEAUFORT in this district changes the forum non convenes analysis. This court has previously held that ruling on the res judicata effects of the Texas court's forum non convenes holding would be premature until that decision is final. Because that issue is fundamental in this case, it is appropriate to stay this matter pending the final outcome of the forum non convenes issue in the Texas case.<sup>1</sup>

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<sup>1</sup> Plaintiff argues that the stay could last as long as two years. Because on June 24, 2014, the Texas court ordered the parties to file "any response to the issues on remand on or before July 22, 2014," and replies by August 4, 2014, if necessary, a lengthy delay is unlikely.

New Orleans, Louisiana, this 2nd day of July, 2014.

  
MARY ANN VIAL LEMMON  
UNITED STATES DISTRICT JUDGE