

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CHARLES FASTERLING, ET AL

CIVIL ACTION

VERSUS

NO: 15-629

HILCORP ENERGY COMPANY, ET AL

SECTION: J(3)

ORDER AND REASONS

Before the Court is a *Motion to Remand* (**Rec. Doc. 20**) filed by Plaintiffs, Charles Fasterling, et al ("Plaintiffs"), an *Opposition* thereto (**Rec. Doc. 38**) by Defendants, Hilcorp Energy Company, et al ("Defendants"), and Plaintiffs' *Reply* (**Rec. Doc. 45**). Having considered the motion, the parties' submissions, the record, and the applicable law, the Court finds, for the reasons expressed below, that the motion should be **GRANTED**.

This matter is one of a number of lawsuits removed to this Court, commonly known as the "Oil Patch Cases." The arguments for remand set forth by the parties in this matter are nearly identical to those presented in *Borne v. Chevron U.S.A. Holdings, Inc., et al*, No. 15-631. Due to the vast similarities between *Borne* and the matter at hand, the Court fully adopts the reasoning set forth in its previous Order remanding the *Borne* matter. (*Borne*, Rec. Doc. 49).

In this matter, Defendants also argue that general maritime law provides a basis for federal jurisdiction because Plaintiffs have not specifically requested a jury trial. Because Plaintiffs have informed the Court that they intend to request a jury, and the time to do so has not yet run, Defendants' argument on this subject is rendered moot.

Moreover, despite Defendants' allegations that OCSLA jurisdiction provides a basis for removal of this matter, they have provided the Court with no additional arguments to distinguish the present circumstances from those in *Borne*.

CONCLUSION

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' *Motion to Remand* (Rec. Doc. 22) is **GRANTED**.

IT IS FURTHER ORDERED that the Oral Argument on this motion, currently scheduled for June 3, 2015, is **CANCELLED**.

New Orleans, Louisiana this 29th day of May, 2015.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE