

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

IN THE MATTER OF THE COMPLAINT OF KIRBY INLAND MARINE, L.P., AS OWNER OF THE T/B KIRBY 7303, T/B KIRBY 8030 and T/B KIRBY 30016 PETITIONING FOR EXONERATION FROM OR LIMITATION OF LIABILITY	* * * * * *	CIVIL ACTION NO: 3:09-cv-0074 JUDGE FRANK J. POLOZOLA MAGISTRATE JUDGE CHRISTINE NOLAND
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c/w

IN THE MATTER OF THE COMPLAINT OF ECKSTEIN MARINE SERVICE, LLC d/b/a MARQUETTE TRANSPORTATION CO., GULF-INLAND, LLC as owner of the M/V SEA DRIFT FOR EXONERATION FROM OR LIMITATION OF LIABILITY	* * * * * *	CIVIL ACTION NO: JUDGE MAGISTRATE JUDGE
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JUDGMENT

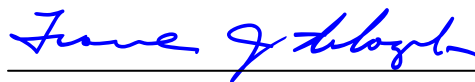
The Court having considered the Motion to Dismiss with Prejudice of Eckstein Marine Service, LLC, n/k/a Marquette Transportation Co., Gulf Inland, LLC (hereinafter "Eckstein"), the tort claims of "Joyce Griffin, et al" and the Motion to Dismiss of Kirby Inland Marine, LP (hereinafter "Kirby") to dismiss, with prejudice, the claim of Eckstein, the memoranda and supplemental memoranda in support thereof, the opposition memoranda thereto, the argument of counsel on September 30, 2010, and in accordance with this Court's previous entry of default in favor of Eckstein on March 19, 2009, the Order entering default in favor of Kirby on May 12, 2009, this Court's Orders of July 16, 2009, September 2, 2010 and September 30, 2010;

IT IS ORDERED, ADJUDGED AND DECREED that the Motion to Dismiss with Prejudice of Eckstein Marine Service, LLC, d/b/a Marquette Transportation Co., Gulf Inland, LLC is hereby granted as to all tort claimants or potential tort claimants, including without limitation, the claims of Joyce Griffin, et al and that said claims be and hereby are dismissed, with prejudice and Judgment is entered in favor of Eckstein in Civil Action No. 09-81-JJB-SCR against any and all tort claimants, reserving only the contractual claims of Kirby Inland Marine, LP against Eckstein in said action;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that in view of the dismissal of all tort claims against Eckstein, the Motion to Dismiss, with prejudice, of Kirby Inland Marine, LP be and hereby is granted and that all claims or potential claims against Kirby Inland Marine, LP, including without limitation, the contingent claims of Eckstein, be and hereby are dismissed, with prejudice and Judgment is hereby entered in favor of Kirby Inland Marine, LP in Civil Action No. 09-0074-FJP-CN;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that any and all other claims or proceedings arising out of or in connection with the incident being the subject of these actions including, without limitation, in Civil Action No. 66836, Division A, 18th Judicial District Court for the Parish of Iberville, State of Louisiana, be and hereby should be dismissed, with prejudice, in accordance with the Orders and Judgments of this Court.

Baton Rouge, Louisiana, February 23, 2011.



FRANK J. POLOZOLA
Middle District of Louisiana