

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

EMERALD LAND CORP.

CIVIL ACTION 6:17-CV-01655

VERSUS

JUDGE ROBERT R. SUMMERHAYS

**CHEVRON U.S.A. HOLDINGS,
INC., et al.**

MAGISTRATE JUDGE PEREZ-MONTES

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Defendants' Motions to Dismiss Emerald's action for prematurity (Docs. 50, 52, 56) are DENIED.

IT IS ORDERED that Defendants' motions to dismiss Emerald's remediation and restoration claims (Docs, 50, 52, 56), other than backfilling canals, are DENIED.

IT IS ORDERED Defendants' Motions to Dismiss Emerald's claim to have canals backfilled (Docs. 50, 52, 56) are GRANTED, and Emerald's claim for backfilling canals is DISMISSED WITH PREJUDICE.

IT IS ORDERED that Defendants' Motions to Dismiss Emerald's continuing tort claims for leaking waste pits and land loss/subsidence from canals (Docs. 50, 52, 56) are GRANTED, and those claims are DISMISSED WITH PREJUDICE.

IT IS ORDERED that Defendants' Motions to Dismiss Emerald's continuing tort claims for trespass and unplugged wells (Docs. 50, 52, 56) are DENIED.

IT IS ORDERED that Defendants' Motions to Dismiss Emerald's strict liability claims (Docs. 50, 52, 56) are GRANTED. and those claims are DISMISSED WITH PREJUDICE.

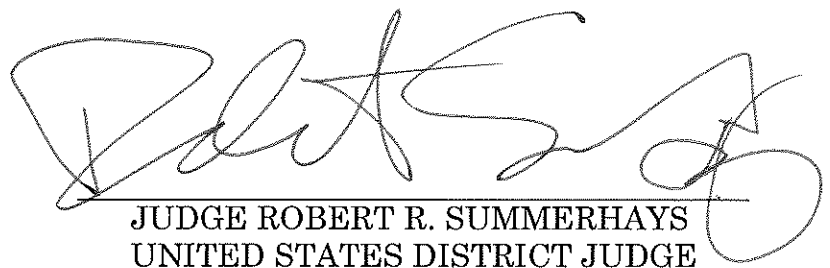
IT IS ORDERED that Defendants' Motions to Dismiss Emerald's claim for civil fruits (Docs. 50, 52, 56) are GRANTED, and those claims are DISMISSED WITH PREJUDICE.

IT IS ORDERED that Defendants' Motions to Dismiss (Docs. 50, 52, 56) Emerald's unjust enrichment claim (Docs. 50, 52, 56) are DENIED.

IT IS FURTHER ORDERED that Defendants' Motions for a More Definite Statement (Docs. 50, 52, 56) are GRANTED. Emerald is ORDERED to: (1) specify the locations of the alleged unlined and leaking pits; (2) specify whether and when the primary term of the mineral leases expired; (3) specify and provide the remediation and restoration provisions in the leases; and (4) specify what Chevron and EnerVest did or failed to do that caused damage to Emerald's property.

IT IS FURTHER ORDERED that Plaintiff's Motion to Strike (Doc. 75) is DENIED.

THUS ORDERED AND SIGNED in Chambers at Lafayette, Louisiana on this 31st day of May 2019.


JUDGE ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE