

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>AUBREY CLARK AND WIFE,</b>	§	<b>CIVIL ACTION NO. 2:07-cv-191</b>
<b>KELLY CLARK</b>	§	<b>(Judge John T. Ward)</b>
	§	
<b>VS.</b>	§	
	§	
<b>KELLOGG BROWN &amp; ROOT, LLC,</b>	§	
<b>BROWN &amp; ROOT, INC n/k/a</b>	§	
<b>KELLOGG BROWN &amp; ROOT, LLC,</b>	§	
<b>KBR, INC. d/b/a KELLOGG BROWN</b>	§	<b>Pursuant to Rule 9(h) of</b>
<b>&amp; ROOT (KBR), INC. and</b>	§	<b>the Federal Rules of</b>
<b>HALLIBURTON COMPANY</b>	§	<b>Civil Procedure - ADMIRALTY</b>

**PLAINTIFFS' MOTION FOR EXPEDITED TRIAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, AUBREY CLARK and wife, KELLY CLARK, hereafter referred to as Plaintiffs, filing this their Motion for Expedited Trial and would show unto the Court as follows:

I.

Plaintiff, Aubrey Clark has been diagnosed with Acute Myelogenous Leukemia (AML), the prognosis for which is grave. The AML diagnosis was confirmed by physicians at MD Anderson Hospital. One of his treating physicians at MD Anderson Hospital is Dr. Deborah Thomas and she has testified that Aubrey Clark has less than 30 percent chance of cure.

II.

This case was originally filed in State Court in Matagorda County, Texas and during those proceedings all of Plaintiffs' and Defendants' expert witnesses were deposed. Plaintiffs' and Defendants' also deposed various fact witnesses in this case.

From the Plaintiffs' prospective no additional expert and/or fact witnesses need to be deposed. Through a telephone conversation with Defense counsel on August 23, 2007, it was indicated that Defendants may want to depose an additional fact witness or two but at this time they had no plans to identify additional witnesses.

Given that this matter is ready for trial before the court we respectfully request that this case be given an expedited trial setting so that the Plaintiff, Aubrey Clark can have his day in court.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that this Motion for Expedited Trial and Order be entered by the Court.

Respectfully submitted,

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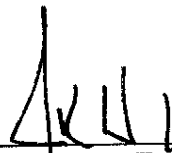
**CERTIFICATE OF CONFERENCE**

Plaintiffs' counsel conferred with Defense counsel by telephone on August 23,  
2007.

  
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J. KEITH HYDE

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has  
been duly forwarded to all counsel of record on this 29<sup>th</sup> day of August, 2007.

  
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J. KEITH HYDE