

United States District Court
Southern District of Texas

ENTERED

March 30, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

US DEPT OF LABOR (OSHA),

Petitioner,

VS.

T&T OFFSHORE INC,

Defendant.

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CIVIL ACTION NO. 3:18-CV-73

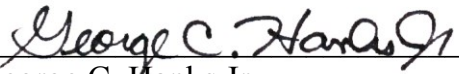
ORDER

This application under 29 U.S.C. § 657(b) is before the Fifth Circuit on T&T Offshore, Inc.'s appeal from an order announced by the Court from the bench on March 16, 2018 that overruled T&T's objections to OSHA's administrative subpoena (Dkt. 11). *See* Fifth Circuit Docket Number 18-40251. The Fifth Circuit denied T&T's request for a stay of this Court's ruling enforcing the administrative subpoena and requested additional briefing on an issue related to the tolling of the six-month statute of limitations for issuing OSHA citations that is set out in 29 U.S.C. § 658(c) (Dkt. 22). OSHA then informed the Fifth Circuit that it was withdrawing its request that the statute of limitations be tolled. *See* Fifth Circuit Docket Number 18-40251, Response filed March 28, 2018.

The District Clerk has informed the Court that, in order to expedite the transmission of the appellate record to the Fifth Circuit, the Court needs to administratively dispose of two motions that are still listed as pending. As the Court announced from the bench on March 16, 2018, T&T's motion to dismiss under Federal

Rule of Civil Procedure 12(b)(5) and motion to quash OSHA's administrative subpoena (Dkt. 5 and Dkt. 8) are **DENIED**. The Court also inadvertently issued an order setting a scheduling conference in this matter. That order (Dkt. 24) is **WITHDRAWN**. This docket is **CLOSED**.

SIGNED at Galveston, Texas, this 30th day of March, 2018.



George C. Hanks Jr.
United States District Judge