

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010	*	MDL 2179
	*	SECTION: J(2)
Applies to:	*	JUDGE BARBIER
No. 12-970, <i>Bon Secour Fisheries, Inc., et al. v. BP Exploration & Production Inc., et al.</i>	*	MAG. JUDGE CURRAULT

ORDER

**[Granting Motion to Recognize Assignment of Judgments and
to Substitute Judgment Creditor]**

Considering the *Joint Motion to Recognize Assignment of Judgments and to Substitute Judgment Creditor* (**Rec. Doc. 27262**) filed jointly by Patrick A. Juneau, in his capacities as Claims Administrator of the Court Supervised Settlement Program (“CSSP”) and the Deepwater Horizon Economic Claims Center (“DHECC”), and as Trustee of the Settlement Trust (in such capacities, “*Assignor*”), and The Louisiana Seafood Promotion and Marketing Board, an executive branch agency placed in the Louisiana Department of Culture, Recreation and Tourism and domiciled in the Parish of East Baton Rouge, State of Louisiana, in accordance with La. R.S. 36:209, acting through Nancy Watkins, the duly authorized Undersecretary of the Louisiana Department of Culture, Recreation and Tourism (“*Assignee*”), through their respective undersigned counsel, seeking the entry of an Order recognizing the “Assignment” hereafter defined and substituting Assignee as judgment creditor in place and stead of Assignor under the following judgments, and all rights to collection and enforcement, liens, claims and choses in action relating to them (collectively, the “*Judgments*”) entered by this Court in favor of the DHECC on

the following respective dates, against the following respective parties, in the following respective amounts and at the following respective docket entries:

9/6/16 judgment against **Tommy Van Pham**, in the original amount of \$325,861.00 [Rec. Doc. 21658], on which \$188,347.49 is believed to be due;

7/16/14 judgment against **Casey Thonn**, in the original amount of \$357,002.35 [Rec. Doc. 13150], on which \$262,257.38 is believed to be due;

6/24/15 judgment against **Jason Zirlott and Captain Jay. LLC**, in the original aggregate amount of \$239,519.32 [Rec. Doc. 14758], on which \$229,319.32 is believed to be due;

9/8/15 judgment against **Joseph Anthony Nelson**, in the original amount of \$83,625.69 [Rec. Doc. 15329], on which \$40,278.86 is believed to be due;

9/8/15 judgment against **Rufus Young**, in the original amount of \$199,864.25 [Rec. Doc. 15330], on which \$199,864.25 is believed to be due;

4/9/15 judgment against **Timothy Seymour**, in the original amount of \$282,582.87 [Rec. Doc. 14401], on which \$211,937.15 is believed to be due;

8/23/16 judgment against **Christine Ho**, in the original amount of \$405,848.15 [Rec. Doc. 21562], on which \$304,386.11 is believed to be due;

7/1/15 judgment against **Jarrold Burle**, in the original amount of \$50,015.87 [Rec. Doc. 14798], on which \$37,011.90 is believed to be due;

10/6/15 judgment against **Tony Riley**, in the original amount of \$221,681.62 [Rec. Doc. 15449], on which \$165,074.46 is believed to be due;

10/2/15 judgment against **Gill Johnson, Sr.**, in the original amount of \$330,748.99 [Rec. Doc. 15432], on which \$330,748.99 is believed to be due;

6/29/15 judgment against **Bobby Lambert, Sr.**, in the original amount of \$239,519.32 [Rec. Doc. 14781], on which \$129,447.64 is believed to be due;

5/8/15 judgment against **Jimmy Shoemaker, Jr.**, in the original amount of \$168,692.00 [Rec. Doc. 14555], on which \$125,619.00 is believed to be due;

9/8/15 judgment against **Wardell Parker**, in the original amount of \$178,584.00 [Rec. Doc. 15326], on which \$175,584.00 is believed to be due;

1/20/16 first amended judgment against **Vision Design Management, Inc., Barbara J. Stokes and Scott B. Stokes**, in the original amount of \$1,610,311.13 [Rec. Doc. 15753], on which \$1,610,311.13 is believed to be due;

10/2/15 judgment against **Alliance & Associates, LLC**, in the original amount of \$1,600,920.34 [Rec. Doc. 15433], on which \$1,600,920.34 is believed to be due; and

3/24/16 first corrected judgment against **Beach & Luxury Realty, Inc. (\$397,884.93), Htun Nyunt, Inc. (\$148,091.98), TNN Enterprises, Inc. (\$132,579.40) and Joseph K. Bassler** (in the original aggregate amount of \$678,431.31) [Rec. Doc. 16040], on which the aggregate amount of \$678,431.31 is believed to be due,

and the Court finding that the same is well-founded, is authorized by its January 22, 2021 Order [Regarding the Court Supervised Settlement Program]¹ and should be **GRANTED**, *ex parte*; accordingly.

¹ In addition, the September 19, 2014 Court-Designated Neutrals' Recommendations for Seafood Compensation Program Supplemental Distribution [Rec. Doc. 13416, page 17], which was adopted by this Court's November 18, 2014 Order [Adopting Court-Designated Neutrals' Recommendations for Seafood Compensation Program Supplemental Distribution] [Rec. Doc. 13678] presaged that should the Seafood Compensation Fund become so depleted that it would become impractical to disburse another round, an appropriate disposition of the balance under the circumstances should be considered, including a *cy pres* award. Since such Neutrals' role has ended, the Court does not require or have the need to seek any recommendation from them in order to grant the Motion

IT IS HEREBY ORDERED that the Motion is **GRANTED**.

IT IS FURTHER ORDERED that the instrument dated September 29, 2021 (the “*Assignment*”)², copy attached to the Motion as Exhibit “A”, by which Assignor has transferred and assigned to Assignee, without warranties or recourse of any kind, which has accepted such Assignment, all of Assignor’s rights, title and interests in, to and under the Judgments be and is hereby **RECOGNIZED**; and

IT IS FURTHER ORDERED that Assignee be and is hereby Substituted as judgment creditor under the Judgments in place and stead of Assignor, for all purposes.

New Orleans, Louisiana, this 6th day of October, 2021.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE

² The Assignment also transfers two (2) criminal restitution judgments entered by the United States District Court for the Middle District of Florida, Ft. Myers Division, and one (1) criminal restitution judgment entered by the United States District Court for the Western District of Louisiana, which are not the subject of the Motion.