

**MINUTE ENTRY
FALLON, J.
JANUARY 31, 2006**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

PATRICK JOSEPH TURNER, ET AL. * CIVIL ACTION
VERSUS * NO. 05-4206
MURPHY OIL USA, INC. * CONSOLIDATED CASE
SECTION "L" (2)

THIS DOCUMENT RELATES TO ALL CASES

A monthly status conference was held on this date in the Courtroom of Judge Eldon E. Fallon. In attendance on behalf of Plaintiffs were Sidney Torres, Roberta Burns, Gerald Meunier, Ronnie Penton, Scott Bickford, Chris Sherwood, Michael Stag, Kenneth Waugespack, Madro Bandaries, Jerald Andry, Gregory DiLeo, Donni Young, Linda Nelson, Dawn Barrios, E. Carroll Rogers, Robert Becnel, Joseph M. Bruno, Anthony Irpino, Paul Hesse, Catherine Williams, Gordon Crawford, Darleen Jacobs, and Darryl Becnel. In attendance for Defendants were George Frilot, Kerry Miller, Ned Kohnke, Danny Dysart, and A.J. Krouse. At the conference, counsel reported to the Court on the topics set forth in the Joint Agenda of Plaintiffs' and Defendant's Liaison Counsel.

1. Class Certification and Trial Plan

The Court issued an Order and Reasons yesterday that granted the Plaintiffs' Motion for Class Certification. Although the parties indicated that they may seek appeal of this ruling under Rule 23(f), the Court believes that the cases should proceed to trial on liability in late summer, whether or not the class is certified or decertified. Accordingly, IT IS ORDERED that a jury trial on the issue of liability shall be held on Monday, August 14, 2006 at 8:30 a.m.

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In the next few days, the Court and counsel will develop a trial plan regarding how the issues in the case can be bifurcated. In addition, counsel will take inventory of their discovery needs. IT IS ORDERED that another status conference with liaison counsel shall be held on Thursday, February 9, 2006 at 2:00 p.m. to discuss pre-trial scheduling and the trial plan. Counsel should be prepared to discuss discovery cut-off dates.

2. Plaintiffs' Proposed Order Regarding Common Benefit Time and Expenses

Plaintiffs have submitted to the Court a proposed Order regarding the accounting of the common benefit time and expenses of Plaintiffs' counsel. This Order was submitted to comply with the Court's Minute Entry dated October 17, 2005. The Court is reviewing this Order and will rule on it shortly. The Order will be posted on the Court's web site, and, if counsel have any objections, a hearing will be held on the issue.

3. Issues Surrounding Cleanup of the Affected Area

Defendant indicated to the Court that the EPA and LDEQ are eager to begin cleanup of private residences and businesses in the affected area. As Defendant sees the Court's certification order, Defendant may not contact any individuals in the affected area, as they are all class members. On the other hand, Defendant argues that, for Plaintiffs to show damage to class members, Plaintiffs will have to undertake sampling and testing of the properties in the affected area, and will have to coordinate with Murphy, the EPA, and the LDEQ to begin cleanup efforts in the area. Counsel shall confer to develop a plan on this issue and report to the Court by the next monthly status conference.

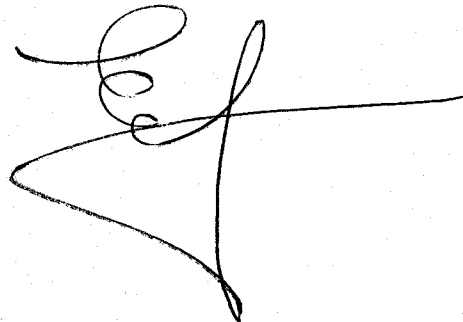
Defendant suggested that an Order that would require Plaintiffs to provide Murphy with notice of any sampling in the area may be appropriate from the Court. This Order would ensure

that evidence is preserved for trial. Counsel are to confer to draft a joint order, and, if that is not possible, they shall submit separate proposed orders for the Court to rule upon.

Defendant also raised the issue of an expedited ruling on a notice and opt-out procedure. While Murphy has ceased its Settlement Program pending further rulings on class certification, Murphy has already received numerous requests from individuals who wish to opt-out. Plaintiffs and Defendant are conferring on this issue, and the Court will rule on this issue on an expedited basis.

4. Next Monthly Status Conference

The next monthly status conference shall be held on Thursday, March 2, 2006 at 9:00 a.m. Liaison counsel are to meet at 8:30 a.m. in Chambers prior to the conference.

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