

**MINUTE ENTRY
FALLON, J.
AUGUST 23, 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, Hugh Lambert, Val Exnicios, Jerald Andry, Ronnie Penton, Daniel Becnel, Joseph Bruno, Anthony Iripino, Mickey Landry, Val Exnicios, Diane Zink, Madro Bandaries, Robert Becnel, Sal Gutierrez, Scott Bickford, Chris Sherwood, Michael Bradley and William Bradley. In attendance for Defendant were George Frilot, Kerry Miller, Danny Dysart, A.J. Krouse and Paul Thibodeaux. Christopher Ratcliff attended on behalf of the Louisiana Department of Environmental Quality ("LDEQ"). Also in attendance were Robin Smith, Jim McConnon and Kara Miller on behalf of the United States. At the conference, counsel reported to the Court on the topics set forth in the Joint Agenda of Plaintiffs' and Defendant's Liaison Counsel. Counsel stated that the parties made progress on the Plaintiffs' agenda items. It is anticipated that these issues will be resolved as a result of stipulations which the parties are in the process of finalizing. Counsel indicated that items two and three of the Defendant's agenda items were also in the process of being resolved.

1. Notice and Implementation of Clean-up Plan

JS10(01:00)

Defendant's counsel presented to the Court and the PSC today a draft notice to class members and an overview of its comprehensive remediation plan. Defense counsel stated that in order to begin implementation of its remediation plan in the beginning of October, notice would have to be sent to class members by sometime next week. The Defendant's counsel stated that if the PSC has any issues with the these documents, the Defendant requests that the PSC communicate those concerns as soon as possible so that the issues may be promptly resolved. The Court stated that the PSC should be involved in the notice drafting and clean-up monitoring. Accordingly, the Defendant should inform the PSC regarding what will be cleaned, when it will be cleaned and who will do the cleaning, so that the PSC is able to obtain experts, photographs, etcetera, to properly monitor the remediation program. The Court further ordered the parties to contact the Court in two days' time regarding the draft notice and whether any issues had arisen regarding its content.

The Court restated its position that it makes no determination at this time as to the adequacy of the plan and whether it will be safe for homeowner occupancy after remediation efforts take place.

2. Murphy's Renewed Motion to Compel Against the U.S. Army Corps of Engineers ("Corps") and Motion for Contempt

Defense counsel reported that it attempted to take the deposition of a Corps representative on August 22, 2006 regarding the design, construction and performance of the levee system, but that it is unable to adequately make its defense regarding the Corps based on the information or lack thereof that the Corps representative gave at the deposition. Specifically, Defense counsel stated that the Corps representative declined to answer questions regarding the design, construction and performance of the levee system at the instruction of Corps attorneys. Defense counsel stated that the Defendant was therefore renewing its Motion to Compel orally at

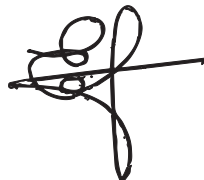
the monthly status conference, and it would file the motion for renewal with an attached draft deposition in the next few days. The Court ordered the Defendant to file the motion by early next week and indicated that it would set the motion for expedited hearing.

3. Deposition of General Ballard

Daniel Becnel stated that he would like to take the deposition of General Ballard, the retired head of the Corps. The Court stated that Mr. Becnel should file a subpoena and notice of deposition.

4. Next Monthly Status Conference.

The next monthly status conference shall be held on **Monday, September 25, 2006 at 3:30 p.m.**, in conjunction with the pretrial conference. Liaison counsel shall meet in Chambers half an hour prior to the conference.

A handwritten signature in black ink, appearing to be 'D. Becnel', written over a horizontal line.