

MINUTE ENTRY
BARBIER, J.
APRIL 1, 2022
JS 10: 84 mins.

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 NO. 2179

SECTION: J (2)

Applies to:
No. 14-657, Melancon Rimes, LLC, et al v.
Downs Law Group, P.A., et al.
No. 17-2678, Miller v. BP
No. 19-1418, O'Brien's Response
Management LLC v. BP
No. 21-1761, Doucet v. Danos and Curole
Staffing LLC, et al
No. 21-2243, Johnson v. BP
All Severed B3 Cases

JUDGE BARBIER

MAG. JUDGE CURRAULT

CASE MANAGER:
Gail Chauvin

COURT REPORTER:
Cathy Pepper

FRIDAY, APRIL 1, 2022
JUDGE CARL J. BARBIER PRESIDING

STATUS CONFERENCE

Participating:

Craig Robinson for Melancon Rimes, LLC, Jason L Melancon, Sterbcow Law Group, LLC, Marx D. Sterbcow (14-657)
Jeremy Friedman for Downs Law Group, P.A., Craig T. Downs, Jeremy Friedman (14-657)
Matthew Regan, Katie Jakola, Keith Jarrett for BP entities (17-2678, 19-1418, 21-1761, 21-2243)
Soren Gilesen for James Miller (17-2678)

Jeremy Grabill, Eric Lyttle, Mike Lyle, Ivan M. Rodriguez, and David Needham for O'Brien's Response Management, LLC and National Response Corporation (19-1418)

Wilson Maloz for Navigator's Insurance Company (19-1418)

Andre LaPlace for Hillard Doucet (21-1761)

Sean Brady, Brandon Briscoe for Danos and Curole Staffing, LLC (21-1761)

David Durkee for B3 Plaintiffs (21-2243)

Proceedings began at 9:36 a.m.

The Court held a status conference to address five cases related to the MDL – Nos. 14-657; 17-2678; 19-1418; 21-1761; 21-2243

Re: No. 14-657

ORDERED that Plaintiffs' *Motion for Leave to File Second Amended Complaint (Rec. Doc. 27364)* is **DENIED**.

ORDERED that Plaintiffs' *Motion for Leave to File Sur-Reply (Rec. Doc. 27363)* is **GRANTED**.

ORDERED that Defendants' *Motion to Dismiss Pursuant to 12(b)(2) and 12(b)(6) (Rec. Doc. 27343)* is **GRANTED in part**. As to the Motion to Dismiss Pursuant to 12(b)(2), the motion is granted on the basis of lack of personal jurisdiction over Jeremy Friedman but denied as to Craig Downs. As to the Motion to Dismiss Pursuant to 12(b)(6), the motion is granted, and the Plaintiff's complaint is **DISMISSED with prejudice** except insofar as it may state a claim for unpaid rent and quantum meruit.

ORDERED that the parties are referred to Magistrate Judge Currault to determine the unpaid rent and quantum meruit owed.

ORDERED that Defendants' *Motion to Dismiss (Rec. Doc. 12729)* and Plaintiffs' *Motion to Conduct and/or Lift Stay for Discovery, and Motion to Enjoin Payment of Attorney Fees (Rec. Doc. 13619)* are **DENIED as moot**.

Re: No. 17-2678

ORDERED that Plaintiff has fifteen (15) days to amend his complaint.

ORDERED that Plaintiff's *Motion for Partial Summary Judgment (Rec. Doc. 34)* is taken under advisement.

Re: No. 19-1418

ORDERED that that all claims between Third Party Plaintiff, the BP entities, and Third Party Defendant, Navigator's Insurance Company, in 19-1418 are hereby dismissed

without costs, and without prejudice, with the right upon good cause shown, within sixty days, for the parties to seek summary judgment enforcing the compromise if it is not consummated by that time.

ORDERED that Plaintiffs, O'Brien's Response Management LLC and National Response Corporation, and Defendants, the BP entities, are referred to Magistrate Judge Currault for a determination of what additional discovery and production of information the BP entities must make to Plaintiffs.

Re: No. 21-1761


ORDERED that the BP entities' *Motion to Dismiss (Rec. Doc. 27333)* is **GRANTED**. All claims of Plaintiff, Hillard Doucet, against the BP entities and Danos and Curole Staffing, LLC are **DISMISSED with prejudice**.

Re: No. 21-2243

ORDERED that Plaintiff's *Motion for Clarification or Correction of the B3 Case Management Order (Rec. Doc. 27230)* is **DENIED**.

Proceedings ended at 11:00 a.m.

Signed on April 4, 2022 in New Orleans, Louisiana.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE