

## Bourgeois Bennett Certified Public Accountants | Consultants A Limited Liability Company P.O. Box 60600 New Orleans, LA 70160-0600

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February 13, 2009

Honorable Eldon E. Fallon United States District Court Eastern District of Louisiana

Re:

Patrick Joseph Turner, et al. versus

Murphy Oil USA, Inc. Civil No. 05-4206

Dear Judge Fallon:

On November 25, 2008 we received from the clerk's office and deposited into our checking account the funds disbursed to us as specified in your order dated November 24, 2008 (copy enclosed).

On November 26, 2008 we began disbursing those funds to the various attorneys in accordance with your order. Exhibit A lists the names of each and amounts paid.

The last attorney fees were disbursed on January 28, 2009.

Bourgeois Bennett received an IRS Form 1099-INT from the clerk of court's office for the interest included in the total amount we received for disbursement to the attorneys as part of their common benefit fees. Since we served as a conduit from the court to the attorneys, we issued an IRS Form 1099-INT to each attorney for their proportionate share of that interest. The amount reported to each attorney is also shown on Exhibit A.

We appreciate the opportunity to assist the court with the task of disbursing these fees and costs to the attorney group.

<del>ver</del>y uruly yours,

Daniel H. Clavier, Jr

enclosures

## Turner v Murphy - Exhibit A Common Benefit Fees November, 2008

| Attorney Names             | FINAL ATTORNEY FEE AMTS | Paid w/ Check<br>#'s | interest included<br>in Attorney Fees |
|----------------------------|-------------------------|----------------------|---------------------------------------|
| STorres/RBurns             | 3,987,051.75            | 2840                 | 141,927.37                            |
| Jerry Meunier              | 2,592,553.22            |                      | 92,287.32                             |
| Lambert/LNelson            | 2,592,553.22            | 2842                 | 92,287.32                             |
| Joe Bruno                  | 2,592,553.22            | 2881 & 2882          | 92,287.32                             |
| Scott Bickford             | 2,040,564.53            | 2844                 | 72,638.14                             |
| Ronnie Penton              | 2,040,564.53            | 2893 & 2894          | 72,638.14                             |
| Walter Leger               | 374,634.92              | 2846                 | 13,335.91                             |
| Duke Williams              | 327,805.50              | 2847                 | 11,668.92                             |
| Greg DiLeo                 | 280,976.19              | 2848                 | 10,001.93                             |
| Dawn Barrios               | 241,639.48              | 2849                 | 8,601.66                              |
| Madro Banderies            | N/A                     | n/a                  | n/a                                   |
| Van Robichaux              | 107,707.51              | 2850                 | 3,834.07                              |
| Mark Glago                 | 105,600.23              | 2851                 | 3,759.06                              |
| Rebecca Cunard             | 96,515.34               | 2877                 | 3,435.66                              |
| Ben Beychok                | 94,548.50               | 2853                 | 3,365.65                              |
| Bill Bradley               | 94,127.07               | 2878                 | 3,350.65                              |
| Jesse Wimberly, IV         | 93,658.74               | 2886                 | 3,333.98                              |
| Walter Dumas               | 78,673.33               | 2896                 | 2,800.54                              |
| Bruce Betzer               | 63,219.71               | 2888                 | 2,250.44                              |
| Keith Couture              | 56,195.21               | 2887                 | 2,000.39                              |
| Jonathan B. Andry          | 46,829.33               | 2855                 | 1,666.99                              |
| Michael Calogero           | 44,487.94               | 2856                 | 1,583.64                              |
| Scott M. Galante           | 44,487.94               | 2884                 | 1,583.64                              |
| Ronald Favre               | 42,146.44               | 2899                 | 1,500.29                              |
| Jesse Wimberly, III        | 37,463.55               | 2857                 | 1,333.59                              |
| Stephen J. Herman          | 32,780.55               | 2858                 | 1,166.89                              |
| Les Martin                 | 26,224.49               | 2885                 | 933.52                                |
| Michael Hingle             | 23,414.67               | 2898                 | 833.49                                |
| Lewis Unglesby             | 14,048.79               | 2895                 | 500.10                                |
| Shrin Harrell              | 14,048.79               | 2897                 | 500.10                                |
| Brent Coon                 | 7,751.72                | 2889                 | 275.94                                |
| Danny Becnel, Jr           | 1,992,738.80            | 2863                 | 70,935.68                             |
| Darleen Jacobs             | 1,096,006.38            | 2883                 | 39,014.63                             |
| Richard Arsenault          | 996,369.35              | 2879                 | 35,467.84                             |
| Sal Gutierrez              | 996,369.35              | 2866                 | 35,467.84                             |
| Robert Becnel              | 697,458.62              | 2867                 | 24,827.49                             |
| Anthony Irpino             | 597,821.60              | 2868                 | 21,280.70                             |
| Carroll Rogers             | 548,003.14              | 2869                 | 19,507.31                             |
| Dianne Zink                | 308,874.51              | 2870                 | 10,995.03                             |
| Lance Licciardi            | 259,056.06              | 2871                 | 9,221.64                              |
| Mickey Landry              | 1,494,554.02            | 2872                 | 53,201.76                             |
| Jerald N. "Jay" Andry, Jr. | 1,494,554.02            | 2873                 | 53,201.76                             |
| Mike Stag                  | 797,095.54              | 2874                 | 28,374.27                             |
| Val Exnicios               | 1,014,304.03            | 2875                 | 36,106.26                             |
| Total Attorney Fees        | 30,488,031.83           |                      | 1,085,284.87                          |
| <u> </u>                   |                         |                      | 1,000,204.01                          |
| Brent Coon (costs)         | 20,000.00               | 2890                 |                                       |
| Bourgeois Bennett, LLC     | 17,000.00               | 2876                 |                                       |

Total Disbursed per Above Total Received from the Ct. Balance Remaining 30,525,031.83 30,525,031.83

| UNITED  | STATES | DISTRI | ICT CO | OURT |
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CIVIL NO. 054796 ACIVIL NO. 054796 OS-4206 CLERKWHYTE ALL CASES

PATRICK JOSEPH TURNER, ET AL.

**VERSUS** 

MURPHY OIL USA, INC.

\*

SECTION "L" (2)

## ORDER

Considering the foregoing motion,

IT IS ORDERED that the Clerk of Court shall draw on the deposited common benefit fund herein and disburse in the following specified amounts of principal, plus accrued interest:

- The amount of \$17,491.22 shall be paid out of principal to satisfy the remaining invoices of Special Master Robert Klees and his counsel, Dominic Gianna;
- The total amount of \$3,600 shall be paid out of principal to satisfy the invoices of Zymax Forensics, as approved by the Court's Order of 3/11/08 (Doc. 2216);
- The total amount of \$289,451.97 shall remain in the registry of the Court pending resolution of the dispute between and among Madro Bandaries, Wiley Beevers, and Sean Alfortish regarding the common benefit fee allocation (\$209,451.97 per Attachment I) and cost enhancement payment (\$80,000) claimed by Madro Bandaries.
- 4. The total remaining principal amount of \$29,439,746.96 shall be disbursed to Bourgeois Bennett, LLC along with all applicable accrued interest for payment and distribution as follows:

|             | F00      |
|-------------|----------|
|             | Process  |
| X           | Process  |
|             | OWNDep   |
|             | Dec. No  |
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- \$20,000 paid from principal in cost enhancement reimbursement to Brent a. Coon & Associates;
- \$17,000 paid from principal to Bourgeois Bennett, LLC for their past-due b. and projected charges in full and final payment of its administrative and disbursement services herein;
- \$29,402,746.96 from principal plus all applicable accrued interest (interest less Adm Fee) to be paid in the same percentages as the amounts specified for all common benefit dounsel (except Madro Bandaries) by the Court on Attachment I.

IT IS FINALLY ORDERED that, upon entry of this Order, all pending motions for common benefit cost reimbursement and any ahd all actual or potential claims between and among the common fund applicants for fee alliquation and/or the taxation of costs (except those relating to the fee and cost dispute between and among Madro Bandaries, Wiley Beevers, and Sean Alfortish), shall be considered withdrawn and dismissed with prejudice, by agreement.

THIS DONE the 4 day of November, 2008.

HONORABLE ELDON E. FALLON

cc: Financial Unit