

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)
This Document Relates To:	*	JUDGE BARBIER
Nos. 18-10616, 18-10888, 18-10890, 18-10891, 18-10959, 18-11046, 18- 11118	*	MAG. JUDGE WILKINSON

ORDER

On October 3, 2018, the Court issued an Order [Regarding Remaining Claims in the Economic and Property Damages Settlement that Are Subject to Moratoria Hold]. (“Moratoria Hold Order,” Rec. Doc. 24945). The Moratoria Hold Order stated that “any Claimant (i) who has received a notice from the Settlement Program that his, her, or its claim is subject to a “Moratoria Hold” and (ii) that claim has not been resolved to date (defined as the “Remaining Moratoria Hold Claims”) will be deemed hereby EXCLUDED from the Settlement and instead may proceed with its claim in litigation before this Court by compliance with the terms of this Order.” (*Id.* at 2). To proceed in litigation, the Moratoria Hold Order required that the plaintiff file an individual complaint by November 16, 2018, a PTO 60 Sworn Statement by November 16, 2018, a PTO 64 Sworn Statement by November 30, 2018, and a PTO 65 Verified Statement Regarding Causation and Damages by November 30, 2018. (*Id.* at 3).

This Order dismisses suits by seven plaintiffs that attempted unsuccessfully to proceed in litigation pursuant to the Moratoria Hold Order.

Lott Ship Agency, Inc. (18-cv-11046) and Turbo Pump Services, Inc. (18-cv-11118) filed individual complaints pursuant to the Moratoria Hold Order, but failed to file one or more of the require PTO statements. These cases will be dismissed for failure to comply with the Moratoria Hold Order.

Don Cobb/Turn Right Tools, LLC (18-cv-10616), Michael Medine, Jr./Action Oilfield Service, Inc. (18-cv-10888), Michael Medine, Jr./Contract Gaugers, Inc. (18-cv-10890), Michael Medine, Jr./Shelby Gaudet Contractors, Inc. (18-cv-10891), and Mark Roussel/Pelichem Industrial Cleaning Services, LLC (18-cv-10959) filed complaints but were not on a moratoria hold at the time the Moratoria Hold Order issued. Consequently, these cases will be dismissed because their claims are untimely. (*See* July 14, 2016 PTO 60 Compliance Order at 5, Rec. Doc. 20996).


For these reasons,

IT IS ORDERED that all claims asserted in the following cases are DISMISSED WITH PREJUDICE:

Lott Ship Agency, Inc. (18-cv-11046)
Turbo Pump Services, Inc. (18-cv-11118)
Don Cobb/Turn Right Tools, LLC (18-cv-10616)
Michael Medine, Jr./Action Oilfield Service, Inc. (18-cv-10888)
Michael Medine, Jr./Contract Gaugers, Inc. (18-cv-10890)
Michael Medine, Jr./Shelby Gaudet Contractors, Inc. (18-cv-10891)
Mark Roussel/Pelichem Industrial Cleaning Services, LLC (18-cv-10959)

The Clerk of Court shall CLOSE these cases.

New Orleans, Louisiana, this 1st day of February, 2019.


United States District Judge

Note to Clerk: File in MDL 2179 and in each of the identified member cases.