

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

**HORNBECK OFFSHORE SERVICES,
LLC,**

Plaintiff,

v.

**KENNETH LEE “KEN” SALAZAR, in
his official capacity as Secretary, United
States Department of the Interior;
UNITED STATES DEPARTMENT OF
THE INTERIOR; ROBERT “BOB”
ABBEY, in his official capacity as Acting
Director, Bureau of Ocean Energy
Management, Regulation, and
Enforcement; and BUREAU OF OCEAN
ENERGY MANAGEMENT,
REGULATION, AND ENFORCEMENT,**

Defendants.

CIVIL ACTION No. 10-1663(F)(2)

SECTION F

JUDGE FELDMAN

**MAGISTRATE 2
MAGISTRATE WILKINSON**

**DEFENDANTS’ MOTION FOR STAY PENDING APPEAL OR IN THE
ALTERNATIVE FOR A TEMPORAR STAY UNTIL RESOLUTION BY THE
COURT OF APPEALS OF AN EMERGENCY STAY REQUEST**

NOW INTO COURT, through undersigned counsel, comes Defendants, Kenneth Lee Salazar, the United States Department of the Interior, Robert Abbey, and the Bureau of Ocean Energy Management, Regulation, and Enforcement (“Defendants”), which pursuant to Rule 62(c) of the Federal Rules of Civil Procedure, respectfully request that the Court stay its order granting Plaintiffs’ Motion for Preliminary Injunction pending Defendants’ appeal to the Fifth

Circuit Court of Appeals. In the alternative, Defendants request that the Court issue a temporary stay until resolution by the Court of Appeals of an emergency motion by the United States for a stay pending appeal of the district court's order, under Rule 8(a) of the Federal Rules of Appellate Procedure. The motion for stay pending appeal should be granted because Defendants can demonstrate a substantial case on the merits and that the balance of equities weighs heavily in their favor.

WHEREFORE, Defendants respectfully request that the Court enter a stay of its order granting Plaintiffs' Motion for Preliminary Injunction pending appeal, or in the alternative, that it enter a temporary stay until resolution by the Court of Appeals of an emergency motion by the United States for a stay pending appeal of the district court's order.

Dated: June 23, 2010

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/s/ Guillermo A. Montero
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ATTORNEYS FOR FEDERAL DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2010, I caused a copy of the foregoing to be served through the Court's CM/ECF System to all parties.

/s/Guillermo A. Montero
Guillermo A. Montero
Attorney for Defendants