

**NOTICE OF JUDGMENT/
CERTIFICATE OF NOTICE OF
JUDGMENT**

CASTEX DEVELOPMENT LLC

VS

ANADARKO PETROLEUM
CORPORATION ET AL

THIRTY-FIRST JUDICIAL DISTRICT

DOCKET NUMBER: C-050220

JEFFERSON DAVIS, LOUISIANA

GEORGE ARCENEUX III
COURT C. VanTASSELL
✓ JOHN S TROUTMAN
RANDEE V. ILES
JAMIE D. RHYMES
LISKOW & LEWIS
1200 CAMELLIA BLVD, STE 300
LAFAYETTE, LA 70508

YOU ARE HEREBY NOTIFIED that a Judgment was rendered on OCTOBER 18, 2024 in the above numbered and entitled matter, a certified copy of said Judgment is annexed hereto and made a part hereof.

Barbi Reed

JEFFERSON DAVIS DEPUTY CLERK FOR
RICHARD M. ARCENEUX, CLERK OF
COURT

CERTIFICATE OF NOTICE OF JUDGMENT

I, THE UNDERSIGNED DEPUTY CLERK, DO HEREBY CERTIFY that this Notice of Judgment in the above entitled suit was mailed out to the party listed above on October 21, 2024.

Barbi Reed

JEFFERSON DAVIS DEPUTY CLERK FOR
RICHARD M. ARCENEUX, CLERK OF
COURT

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LISKOW & LEWIS

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C-050220
CONVERSION

31ST JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON DAVIS

STATE OF LOUISIANA

DOCKET NO. C-502-20

CASTEX DEVELOPMENT, LLC

VERSUS

ANADARKO PETROLEUM CORPORATION, ANADARKO US OFFSHORE, LLC,
BP AMERICA PRODUCTION COMPANY, CONOCOPHILLIPS
COMPANY, CROWN CENTRAL, LLC, MOBIL PRODUCING TEXAS & NEW
MEXICO, INC., FREEPORT-MCMORAN, INC., and OCCIDENTAL ENERGY
COMPANY, INC.

FILED: _____

DEPUTY CLERK OF COURT

**JOINT MOTION FOR ENTRY OF THIRD
ENVIRONMENTAL AND CASE MANAGEMENT ORDER**

NOW INTO COURT, through undersigned counsel, come Plaintiff, Castex Development, LLC and Defendants, Anadarko Petroleum Corporation, Anadarko US Offshore, LLC, BP America Production Company, ConocoPhillips Company, Crown Central, LLC, and Mobil Producing Texas & New Mexico, Inc. (collectively, the "Parties").

1.

Environmental Management Orders are authorized pursuant to Article 1552 of the Louisiana Code of Civil Procedure.

2.

The Parties represent that the proposed Third Environmental and Case Management Order was circulated to all known counsel of record for the Parties by e-mail and all have had the opportunity to review and to suggest modifications to the Third Environmental and Case Management Order.

3.

The attached Third Environmental and Case Management Order represents the order agreed to by the Parties.

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4.

WHEREFORE, the Parties pray that the Court enter the attached Third Environmental and Case Management Order into the record of this matter.

Respectfully submitted:

s/Matthew P. Keating
Chad E. Mudd # 25188
cmudd@mbklaw.net
David P. Bruchhaus #24326
dbruchhaus@mbklaw.com
Matthew P. Keating # 30911
mkeating@mbklaw.net
Wesley A. Romero #33344
wromero@mbklaw.net
MUDD BRUCHHAUS & KEATING, L.L.C.
422 E. College St., Ste B
Lake Charles, LA 70605
Telephone: 337-562-2327
Facsimile: 337-562-2391

and

John H. Carmouche #22294
jcarmouche@tcmlawfirm.net
Christopher D. Martin #30613
chrismartin@tcmlawfirm.net
TALBOT CARMOUCHE & MARCELLO
17405 Perkins Road
Baton Rouge, LA 70810
Telephone: 225-400-9991
Facsimile: 225-448-2568

Attorneys for Castex Development, LLC, Plaintiff

s/Rachel Scarafia
Christoffer C. Friend #1888
cfriend@joneswalker.com
Meghan E. Smith #34097
msmith@joneswalker.com
Philip Wood #33435
pwood@joneswalker.com
Rachel Scarafia #36664
rscarafia@joneswalker.com
Marisa Del Turco #40336
mdelturco@joneswalker.com
JONES WALKER LLP
201 St. Charles Ave., Ste 5100
New Orleans, LA 70170
Telephone: 504-582-8000
Facsimile: 504-589-8322

**Attorneys for Anadarko Petroleum Corporation
and Anadarko US Offshore, LLC, Defendants**



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s/Denice Redd-Robinette
George Arceneaux III #17442
garceneaux@liskow.com
Court C. VanTassell #31247
evantassell@liskow.com
John S. Troutman #36059
jtroutman@liskow.com
Randee V. Iles #38781
rviles@liskow.com
LISKOW & LEWIS
822 Harding St.
Lafayette, LA 70503
Telephone: 337-232-7424
Facsimile: 337-267-2399

and

Denice Redd-Robinette #38582
drrobinette@liskow.com
LISKOW & LEWIS
450 Laurel St., Ste 1601
Baton Rouge, LA 70801
Telephone: 225-341-4660
Facsimile: 225-341-5653

and

Kelly Brechtel Becker #27375
kbbecker@liskow.com
Erin E. Bambrick #35035
ebambrick@liskow.com
LISKOW & LEWIS
701 Poydras Street, Suite 5000
New Orleans, LA 70139
(504) 556-4005 (Telephone)
(504) 556-5108 (Facsimile)

and

Michael E. Parker #18371
michaelparker@parkerlandry.com
Andres Gomez #38238
andresgomez@parkerlandry.com
Meghan E. Trahan #38427
meghantrahan@parkerlandry.com
PARKER & LANDRY, LLC
4023 Ambassador Caffery Pkwy. Ste 320
Lafayette, LA 70503
Telephone: (337) 362-1601
Facsimile: (337) 849-1865

and



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Lauren C. Heinen #36494
lauren@heinenguinn.com
Alexander Guinn #37148
alex@heinenguinn.com
HEINEN & GUINN
LAW FIRM AND CONSULTING, LLC
407 N. Church St.
Jennings, LA 70546
Telephone: (337) 246-7220

**Attorneys for BP America Production Company,
Defendant**

s/Eric E. Jarrell
Eric E. Jarrell #16982
ejarrell@kingjurgens.com
Robert J. Burvant #14119
rburvant@kingjurgens.com
Michael J. Cerniglia #29792
mcerniglia@kingjurgens.com
Marie O. Luis #38332
mluis@kingjurgens.com
Kyle J. E. Koch #39942
kkoch@kingjurgens.com
Patrick T. Isacks #39220
pisacks@kingjurgens.com
KING & JURGENS, LLC
201 St. Charles Ave., 45th Floor
New Orleans, LA 70170
Telephone: 504-582-3800
Facsimile: 504-582-1233

**Attorneys for ConocoPhillips Company,
Defendant**

s/Charles S. "Trey" McCowan III
Charles S. "Trey" McCowan III #19699
trey.mccowan@keanmiller.com
KEAN MILLER LLP
400 Convention St., Ste 700
P.O. Box 3513 (70821)
Baton Rouge, LA 70802
Telephone: 225-387-0999
Facsimile: 225-388-9133

Attorneys for Crown Central, LLC, Defendant



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s/Jamie D. Rhymes
James E. Lapeze #28377
jelapeze@liskow.com
Cristian M. Soler #38898
csoler@liskow.com
Jonathan J. Fox #34551
jjfox@liskow.com
Jaclyn E. Hickman #36119
jhickman@liskow.com
LISKOW & LEWIS
701 Poydras St., Ste 5000
New Orleans, LA 70139
Telephone: 504-581-7979
Facsimile: 504-556-4108

and

Jamie D. Rhymes #24621
jdrhymes@liskow.com
LISKOW & LEWIS
822 Harding St.
Lafayette, LA 70503
P.O. Box 52008
Lafayette, LA 70505
Telephone: 337-232-7424
Facsimile: 337-267-2399

and

Michael P. Cash #31655
mcash@liskow.com
LISKOW & LEWIS
First City Tower
1001 Fannin St.
Houston, TX 77002-6756

**Attorneys for Mobil Producing Texas & New
Mexico, Inc., Defendant**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has this day been forwarded
to all known counsel of record by e-mail properly addressed.

Lafayette, Louisiana, this 18th day of October, 2024.

s/Denice Redd-Roibinette



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CONVERSION

31ST JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON DAVIS

STATE OF LOUISIANA

DOCKET NO. C-502-20

CASTEX DEVELOPMENT, LLC

VERSUS

ANADARKO PETROLEUM CORPORATION, ANADARKO US OFFSHORE, LLC,
BP AMERICA PRODUCTION COMPANY, CONOCOPHILLIPS
COMPANY, CROWN CENTRAL, LLC, EXXONMOBIL OIL CORPORATION,
FREEPORT-MCMORAN, INC., and OCCIDENTAL ENERGY COMPANY, INC.

FILED: _____

DEPUTY CLERK OF COURT

ORDER ENTERING THIRD ENVIRONMENTAL
AND CASE MANAGEMENT ORDER

Considering the foregoing,

IT IS HEREBY ORDERED that the Joint Motion for Entry of Third Environmental and Case Management Order is GRANTED and that the Third Environmental and Case Management Order attached hereto is hereby entered into the record of this matter.

SO ORDERED in Jennings, Louisiana on the 18 day of October 2024.



HON. STEVE GUNNELL
JUDGE, 31ST JUDICIAL DISTRICT COURT

PLEASE SEND NOTICE
TO ALL PARTIES



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31ST JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON DAVIS

STATE OF LOUISIANA

DOCKET NO. C-502-20

CASTEX DEVELOPMENT, LLC

VERSUS

ANADARKO PETROLEUM CORPORATION, ANADARKO US OFFSHORE, LLC,
BP AMERICA PRODUCTION COMPANY, CONOCOPHILLIPS
COMPANY, CROWN CENTRAL, LLC, MOBIL PRODUCING TEXAS & NEW
MEXICO, INC., FREEPORT-MCMORAN, INC., and OCCIDENTAL ENERGY
COMPANY, INC.

FILED: _____

DEPUTY CLERK OF COURT

THIRD ENVIRONMENTAL AND CASE MANAGEMENT ORDER

IT IS HEREBY ORDERED that the following Third Environmental and Case Management Order ("Order") be entered in this Case by and between the Plaintiff, Castex Development, LLC ("Plaintiff"), and Defendants, Anadarko Petroleum Corporation, Anadarko US Offshore, LLC, BP America Production Company, ConocoPhillips Company, Crown Central, LLC, and Mobil Producing Texas & New Mexico, Inc. (collectively, "Defendants").

I. GENERAL PROVISIONS

- A. The effective date of this Order shall be upon signing by the Court.
- B. Nothing contained herein shall prohibit any party from obtaining relief from, or modification of, any provisions of this Order for good cause shown, after notice and a contradictory hearing.
- C. Defendants specifically reserve the right to apply to the Court for a stay or continuance of the trial date in the event that a limited admission is made pursuant to the provisions of La. C.C.P. art. 1563 and La. R.S. 30:29. Plaintiff reserves the right to oppose such a stay.
- D. Nothing contained herein shall prevent the Parties, by written agreement, from modifying the specific provisions of this Order, subject to approval of the Court where necessary.



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- F. The Parties anticipate that this matter will involve the search for and production of voluminous documents. While the Parties will make every effort to ensure that no privileged, confidential or otherwise protected materials will be produced, the following procedures shall apply to any inadvertently produced materials: (1) If discovered by the receiving party, the receiving party shall notify the producing party of the inadvertent production and shall immediately destroy all physical and electronic copies and further take efforts to prevent any further dissemination of same; (2) If discovered by the producing party, the producing party shall notify the receiving party of the inadvertent production, at which time receiving party shall be required to destroy all physical and electronic copies and further take efforts to prevent any further dissemination of same; (3) Receiving party, once aware of any inadvertent disclosure, shall be precluded from relying upon or using the inadvertently produced document absent an order from the Court as to the applicability of the privilege asserted; (4) Either receiving party or producing party is entitled to invoke the authority of the Court to enforce the obligations hereunder or seek a ruling as to the privilege asserted.
- G. Expert draft reports and communications between counsel and experts shall not be discoverable.
- H. It is the Parties' intention that this Order meets the requirements of an Environmental Management Order as defined by La. C.C.P. art. 1552.

II. SERVICE OF ORDERS, PLEADINGS, MOTIONS, AND OTHER DOCUMENTS

- A. Service of any order, pleading, motion, or other document shall be made in accordance with article 1311-1314 of the Code of Civil Procedure. Contact information for enrolled counsel for the delivery of pleadings, correspondence, and notice is:

1. **Plaintiff, Castex Development, LLC**

Chad E. Mudd #25188
cmudd@mbklaw.net
David P. Bruchhaus #24326
dbruchhaus@mbklaw.com
Matthew P. Keating #30911

Barkie Reed

Jefferson Davis Parish
Deputy Clerk Of Court



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mkeating@mbklaw.net
Wesley A. Romero #33344
wromero@mbklaw.net
MUDD BRUCHHAUS & KEATING, L.L.C.
422 E. College St., Ste B
Lake Charles, LA 70605
Telephone: 337-562-2327
Facsimile: 337-562-2391

and

John H. Carmouche #22294
jcarmouche@tcmlawfirm.net
Christopher D. Martin #30613
chrismartin@tcmlawfirm.net
TALBOT CARMOUCHE & MARCELLO
17405 Perkins Road
Baton Rouge, LA 70810
Telephone: 225-400-9991
Facsimile: 225-448-2568

2. **Defendants, Anadarko Petroleum Corporation and
Anadarko US Offshore, LLC**

Christoffer C. Friend #1888
cfriend@joneswalker.com
Meghan E. Smith #34097
msmith@joneswalker.com
Philip Wood #33435
pwood@joneswalker.com
Rachel Scarafia #36664
rscarafia@joneswalker.com
Marisa Del Turco #40336
mdelturco@joneswalker.com
JONES WALKER LLP
201 St. Charles Ave., Ste 5100
New Orleans, LA 70170
Telephone: 504-582-8000
Facsimile: 504-589-8322

3. **Defendant, BP America Production Company**

George Arceneaux III #17442
garceneaux@liskow.com
Court C. VanTassell #31247
cvantassell@liskow.com
John S. Troutman #36059
jtroutman@liskow.com
Randee V. Iles #38781
rviles@liskow.com
LISKOW & LEWIS
822 Harding St.
Lafayette, LA 70503
Telephone: 337-232-7424
Facsimile: 337-267-2399

and

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Denice Redd-Robinette #38582
drrobinette@liskow.com
LISKOW & LEWIS
450 Laurel St., Ste 1601
Baton Rouge, LA 70801
Telephone: 225-341-4660
Facsimile: 225-341-5653

and

Kelly B. Becker #27375
Kbbecker@liskow.com
Erin E. Bambrick #35035
ebambrick@liskow.com
LISKOW & LEWIS
701 Poydras Street, Suite 5000
New Orleans, LA 70139-5099
Telephone: 504-581-7979
Facsimile: 504-556-4108

and

Michael E. Parker #18371
michaelparker@parkerlandry.com
Andres Gomez #38238
andresgomez@parkerlandry.com
Meghan E. Trahan #38427
meghantrahan@parkerlandry.com
PARKER & LANDRY, LLC
4023 Ambassador Caffery Pkwy. Ste. 320
Lafayette, LA 70503
Telephone: 337-362-1601
Facsimile: 337-849-1865

and

Lauren C. Heinen #36494
lauren@heinenguinn.com
Alexander Guinn #37148
alex@heinenguinn.com
HEINEN & GUINN LAW FIRM
407 N. Church St.
Jennings, LA 70546
Telephone: 337-246-7220

4. **Defendant, ConocoPhillips Company**

Eric E. Jarrell #16982
ejarrell@kingjurgens.com
Robert J. Burvant #14119
rburvant@kingjurgens.com
Michael J. Cerniglia #29792
mcerniglia@kingjurgens.com
Marie O. Luis # 38332
mluis@kingjurgens.com



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Kyle J. E. Koch #39942
kkoch@kingjurgens.com
Patrick T. Isacks # 39220
pisacks@kingjurgens.com
KING & JURGENS, LLC
201 St. Charles Ave., 45th Floor
New Orleans, LA 70170
Telephone: 504-582-3800
Facsimile: 504-582-1233

5. **Defendant, Crown Central, LLC**

Charles S. "Trey" McCowan III #19699
trey.mccowan@keanmiller.com
KEAN MILLER LLP
400 Convention St., Ste 700
P.O. Box 3513 (70821)
Baton Rouge, LA 70802
Telephone: 225-387-0999
Facsimile: 225-388-9133

6. **Defendant, Mobil Producing Texas & New Mexico, Inc.**

James E. Lapeze #28377
jelapeze@liskow.com
Cristian M. Soler #38898
csoler@liskow.com
Jonathan J. Fox #34551
jjfox@liskow.com
Jaclyn E. Hickman #36119
jhickman@liskow.com
LISKOW & LEWIS
701 Poydras St., Ste 5000
New Orleans, LA 70139
Telephone: 504-581-7979
Facsimile: 504-556-4108

and

Jamie D. Rhymes #24621
jdrhymes@liskow.com
LISKOW & LEWIS
822 Harding St.
Lafayette, LA 70503
P.O. Box 52008
Lafayette, LA 70505
Telephone: 337-232-7424
Facsimile: 337-267-2399

and

Michael P. Cash #31655
mcash@liskow.com
LISKOW & LEWIS
First City Tower
1001 Fannin St.
Houston, TX 77002-6756

Barker Reed



Telephone: 713-651-2900
Facsimile: 713-651-2908

III. SUPPLEMENTAL PLEADINGS ADDING PARTIES OR CLAIMS

Any supplemental or amending pleadings adding new Parties or claims shall be filed no later than **October 11, 2024**.

IV. PRE-TRIAL DISCOVERY

A. Fact Witness/Exhibit List

1. On or before **January 27, 2025**, Plaintiff shall serve on Defendants a preliminary list of fact witnesses Plaintiff will or may call to testify at trial.
2. On or before **May 19, 2025**, Defendants shall serve on Plaintiff a preliminary list of fact witnesses that said party will or may call to testify at trial.
3. Final witness and exhibit lists, including a bates-labeled designation of each exhibit, shall be served by each party no later than **no later than ten (10) days before commencement of trial**. If a witness on the final witness list was not included in that party's preliminary witness list, any other party shall have the right to take the deposition of the newly listed witness prior to trial and all other Parties may amend their final witness and exhibit lists to add witnesses and/or exhibits deemed necessary to counter or otherwise address the testimony of the newly-listed witness.

B. Fact Discovery Deadline

1. Fact discovery shall be completed (except as necessary to depose any new fact witnesses identified for the first time in any party's final witness list) on or before **September 29, 2025**.

C. Expert Witnesses

1. On or before **September 13, 2024**, all Environmental Sampling and data collection on part of the Plaintiff shall be completed. "Environmental



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Sampling” means the physical collection of soil, sediment, surface water, groundwater, biota, or other environmental media for removal to any offsite location for laboratory analysis or other purposes, or the conducting of any slug test, pump test, or “GEM” survey.

2. On or before **October 18, 2024**, Plaintiff shall provide to the Defendants all expert reports addressing the existence, location, content, characteristics, assessment, delineation of claimed environmental damage or contamination on the subject property, as well as any proposed remediation of environmental damage or contamination, if any, which reports shall conform to the requirements of Louisiana Code of Civil Procedure article 1425(B):

The report shall contain a complete statement of all opinions to be expressed and the basis and reasons therefore and all data or other information considered by the witness in forming the opinions. The Parties, upon agreement, or if ordered by the court, shall include in the report any or all of the following: exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years; the compensation to be paid for the study and testimony; a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the proceeding four years.

3. On or before **November 4, 2024**, Plaintiff shall provide all remaining expert reports to the Defendants which shall conform to the requirements set forth in Subsection C(2) above.
4. On or before **May 19, 2025**, all Environmental Sampling and data collection on the part of the Defendants shall be completed. This date shall be the conclusion of environmental sampling for the purposes of Louisiana Revised Statutes section 30:29 and Louisiana Code of Civil Procedure article 1563.
5. On or before **May 26, 2025**, Defendants shall provide to Plaintiff all expert reports addressing the existence, location, content, characteristics, assessment, delineation of claimed environmental damage or contamination



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on the subject property, as well as any proposed remediation of environmental damage or contamination if any, which shall conform to the requirements set forth in Subsection C(2) above.

6. On or before **June 9, 2025**, the Defendants shall provide to Plaintiff all other expert reports which shall conform to the requirements set forth in Subsection C(2) above.
7. Plaintiff shall provide rebuttal reports, if any, on or before **June 16, 2025**. The content of the Plaintiff's rebuttal reports shall be limited to rebutting opinions, data, information, or evidence presented in the Defendants' expert reports. Plaintiff shall not be entitled to perform any additional testing or sampling to support a rebuttal report.
8. Upon issuance of a report by any party, no supplementation or revision of opinions, nor any additional sampling is allowed without leave of Court.
9. Reports shall be deemed "provided" when transmitted electronically to all counsel of record by the deadlines stated above.
10. Plaintiff shall make available for deposition all plaintiff experts between **July 10, 2025 and August 7, 2025**. The Parties explicitly acknowledge that should Plaintiff fail to make their experts available for depositions during this timeframe, further modifications of this Order may be necessary.
11. Defendants shall make available for deposition all defense experts between **August 13, 2025 and September 10, 2025**. The Parties explicitly acknowledge that should Defendants fail to make their experts available for depositions during this time frame, further modifications of this Order may be necessary.
12. All expert discovery shall be completed by **September 10, 2025**.
13. Any fees charged by experts for time spent giving deposition testimony shall be paid by the party who retained the expert. All fees charged by experts in responding to subpoenas as well as time spent and expenses incurred in preparing for depositions, shall be paid by the party who retained

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the expert. This provision is not intended to preclude any party from seeking cost reimbursement pursuant to Act 312, as amended, or that of any code article, revised statute, or law. The Parties reserve their rights to seek reimbursement in the event that subpoenas or other document requests issued to experts are excessive or unreasonable

D. Environmental Sampling Protocol

1. Sampling and/or testing of air, water, groundwater, soils, or sediments, including but not limited to: (a) the installation of any borings and collection of core samples; (b) the collection of "GEM" data or other data collected and generated at or near the time of sampling; (c) the collection of any biota for laboratory analysis other than simple identification of species; (d) any slug test or pump test, but not including the professional surveying of the property or of water levels in wells, (hereinafter "Sampling Event"), shall be conducted in accordance with this section. The party seeking to conduct a Sampling Event, or on whose behalf such Sampling Event will be conducted, is hereby referred to as the "Sampling Party." The Parties will exercise good faith efforts to make the property available for sampling in a manner which minimizes any interference with the use of the property by Plaintiff
2. The Sampling Party shall provide written notice to all other Parties of the scope and media to be sampled, and the date and location where such Sampling Event will take place. The Sampling Party shall provide such notice five (5) days prior to the date on which the Sampling Event will be conducted (unless a shorter time is agreed to by all Parties) by sending the notice electronically, or delivering the notice personally, to each other party or its counsel. The notice shall identify the date of the Sampling Event and the scope of the Sampling Event. In describing the location, the notice must provide sufficient information to allow the other party to locate and attend the Sampling Event.

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3. Any other party who desires to witness the Sampling Event shall be allowed to do so at each party's own cost and expense. The Sampling Party shall allow and/or provide reasonable access to the other party to the Sampling Event.
4. At the request of any other party, the Sampling Party shall allow split or duplicate portions of the Sampling Party's samples to be collected by other Parties, if volume allows, but the party requesting split or duplicate samples will be responsible for the costs of testing the samples and the costs of containers and other routine field supplies necessary to collect the split samples. If volume is insufficient to allow each non-sampling party to obtain its own split sample, then the non-sampling Parties may agree on sharing split media or apply to the Court for an order to control split samples.
5. Any and all testing data, boring logs, coordinate data, analytical results, etc. received by the Sampling Party and/or the party requesting split or duplicative samples shall be provided to any other party within thirty (30) days of written request for such testing data, boring logs, coordinate data, analytical results, etc., unless a good faith basis for objection is stated in response, such that the issue can be presented to the Court for decision. Electronic data or media such as that which is generated by terrain or other conductivity surveys, aquifer testing, NORM surveys, or similar electronically rendered processes, or other electronic means shall be shared at the time data is collected if possible or otherwise promptly thereafter.
6. The Sampling Event shall be conducted during daylight hours on any day of the ordinary work week, except that deep well installation and slug/pump testing may extend beyond daylight hours. No Sampling Event shall be conducted on Saturday, Sunday, or any other legal holiday, except with consent of all Parties or by order of the Court.

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7. The Parties and their counsel shall not interfere with the orderly progress of the Sampling Event or otherwise impede the Sampling Event.
8. Any and all analytical test results from samples taken from the property shall be submitted to all Parties and the Department of Natural Resources (hereinafter "DNR") within thirty (30) days of the receipt of certified laboratory results. If after submitting analytical test results to all Parties and DNR, there is a correction or change in the test results, then the revised data shall be provided to all Parties and DNR within thirty (30) days of the receipt of the corrected data from a laboratory. Compliance with this provision shall constitute full compliance with the requirements of Louisiana Code of Civil Procedure article 1552.
9. Any party or its representative(s) may visit and enter upon the Property at issue in this case for the purpose of site review, reconnaissance, field work for the assessment or evaluation of ecological conditions including plants and animals (other than the collection of samples constituting a Sampling Event, including collection of samples of biota for any chemical analysis), and documentation of conditions on the property upon five (5) days' notice to all Parties, provided that counsel for Defendants may visit the property with his/her client representative(s) for the sole purpose of site viewing and incidental photography upon two (2) business days advance notice to counsel for Plaintiff. Nothing in this provision shall prohibit Plaintiff from visiting their own property.
10. The notice provisions for sampling and visits hereunder may be waived by written consent of counsel for the Parties (e.g., electronic mail correspondence), or by order of the Court.
11. Each Sampling Party shall be responsible for the registration and plugging and abandonment of any monitoring wells drilled on its behalf on the Property. Each Sampling Party shall be responsible for the proper disposal of any soil or purge water generated during a Sampling Event, including

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without limitation, any investigative derived waste. The Sampling Party shall list its client as the registrant or generator on any monitoring well registration forms, waste profiles, manifests, applications, and related documents.

12. Any limited admission under Louisiana Revised Statutes § 30:29 and Louisiana Code of Civil Procedure article 1563 shall be filed no later than **August 15, 2025**, in accordance with the provisions of Louisiana Code of Civil Procedure article 1563.

V. PRE-TRIAL MOTIONS AND TRIAL

- A. As required by Louisiana Code of Civil Procedure article 966(B)(1), motions for summary judgment shall be filed and served no later than **sixty-five (65) days before commencement of trial.**
- B. As required by Louisiana Code of Civil Procedure article 966(C)(1)(a), hearings on motions for summary judgment shall be set for no later than **thirty (30) days before commencement of trial.**
- C. In accordance with Louisiana Code of Civil Procedure article 1425(F)(1), all *Daubert* motions shall be filed and served no later than **sixty (60) days before commencement of trial.**
- D. In accordance with Louisiana Code of Civil Procedure article 1425(F)(2), the hearing on all *Daubert* Motions shall be set for no later than **thirty (30) days before commencement of trial.**
- E. Other than motions to compel, the deadline to file and serve all other pre-trial motions, including motions *in limine* shall be **thirty (30) days before commencement of trial.**
- F. The deadline to file motions to compel shall be no later than 90 days before trial.
- G. Exceptions may be filed at any time authorized by the Louisiana Code of Civil Procedure.
- H. Any deposition designations shall be submitted **no later than twenty-one (21) days before commencement of trial.**

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- I. Any objections to or counter-designations to any depositions designations shall be submitted **no later than fourteen (14) days before commencement of trial.**
- J. Proposed jury instructions and proposed interrogatories shall be filed **no later than twenty-one (21) days before commencement of trial.**
- K. Any objections and/or comments to proposed jury instructions and proposed interrogatories shall be filed **no later than seven (7) days before Final Pre-Trial Conference and Charge Conference.**
- L. In the event of any conflict between the deadlines of this Order and any deadlines set forth in a Pre-Trial issued by the Court, the deadlines set forth in this Order shall control.

THUS DONE AND SIGNED on this 18 day of October, 2024, at
Jennings, Louisiana.



HON. STEVE GUNNELL
JUDGE, 31ST JUDICIAL DISTRICT COURT

**PLEASE PROVIDE NOTICE
TO ALL PARTIES**

