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VIA HAND DELIVERY

Honorable Lynn N. Hughes
United States District Judge
Southern District of Texas
Houston Division
615 Rusk, Room 11122
Houston, Texas 77002

Re: Oceanic Exploration Company, et al. v. ConocoPhillips, Inc., et al.; Case No. 4:07-cv-00815 (S.D. Texas)

Dear Judge Hughes:

The above-captioned case was transferred to this District from the United States District Court for the District of Columbia (Judge Emmet J. Sullivan). It was assigned to this Court on Monday. The undersigned law firms and lawyers represent the Plaintiffs in these proceedings.

This is not a new case. It was more than three years old when it was transferred to Houston. During that time, the Plaintiffs' claims against the ConocoPhillips Defendants survived two motions to dismiss directed at those Defendants, a motion for the reconsideration of Judge Sullivan's rejection of the motions to dismiss, a motion for an interlocutory appeal of those same rulings, and innumerable requests for delays, stays, and the general avoidance of discovery and any other forward progress in the case.[1]

The most recent of these requests for stays of discovery and other activity in the case was denied by Judge Sullivan on November 17, 2006. The judge also required the Defendants to answer and the parties to submit a joint discovery plan. Both of these required filings were submitted, on October 10, 2006 and October 25, 2006, respectively. Thereafter, Plaintiffs began the discovery process by serving two document requests. While that discovery was stayed, *sua sponte*, "pending resolution of" the motion to transfer venue, that issue has been resolved and the responses to those document requests are now overdue. Nevertheless, Defendants' New York counsel called James Webster of Quinn Emanuel late yesterday to request yet another discovery stay. When Mr. Webster informed him that the matter would need to be raised with his client,

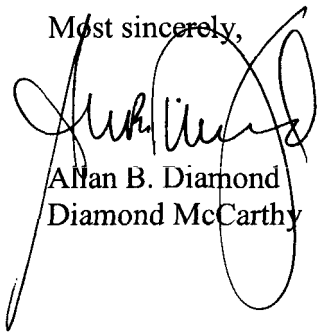
[1] Because the Southern District's PACER docket does not yet include those of Judge Sullivan's orders referenced above, we have attached them to this letter, including Judge Sullivan's lengthy and well-reasoned September 21, 2006 opinion regarding the defense motions to dismiss. We have also attached the parties' proposals for a discovery plan, which may be discussed at the status conference we are proposing in this letter.

counsel for the Defendants told him that they would be filing papers with the Court immediately unless Plaintiffs agreed to such a stay this morning.

We write to request a status conference with the Court. Consistent with local practice, that conference can be informal and in chambers or formal, as the Court desires, but it should be held as soon as is reasonably convenient for the Court and the parties. This request is triggered, first, by the "Rule 12(c)" motion papers filed yesterday by the Defendants. In substance, those papers ask this Court to judicially review Judge Sullivan's opinions and permit the Defendants to relitigate the matters litigated before Judge Sullivan over the past three years. It is triggered, in the second instance, by the Defendants' renewed demand for a stay pending such relitigation.

Before this Court gets mired in additional paper, a status conference at the Court's convenience sometime soon will give the parties guidance as to how the Court wishes this case to proceed and what kind of a pre-trial discovery schedule should be put in place.

Most sincerely,



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