



JOHN TARLTON OLIVIER  
CLERK OF COURT

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CHIEF JUSTICE  
CATHERINE D. KIMBALL  
JUSTICES  
GREG G. GUIDRY  
JEFFREY P. VICTORY  
JEANNETTE THERIOT KNOLL  
MARCUS R. CLARK  
JOHN L. WEIMER  
BERNETTE J. JOHNSON

Fifth District  
First District  
Second District  
Third District  
Fourth District  
Sixth District  
Seventh District

February 4, 2011

No. 2010-C-2605

CRAIG STEVEN ARABIE ET AL. VS. CITGO PETROLEUM CORPORATION ET AL.

On Writ of Review to the Court of Appeal, Third Circuit No. 10-244; Parish of Calcasieu; 14th Judicial District Court, Division G, No. 2007-2738, Hon. G. Michael Canaday, Judge presiding;

Marshall Joseph Simien Jr. Esq.;  
BARRASSO, USDIN, KUPPERMAN, FREEMAN & SARVER, LLC,  
Richard Edward Sarver Esq., Jonathan R. Bourg Esq., Craig Robert Isenberg Esq., Meredith Anne Cunningham Esq., Michael Kevin Powell Esq.;  
SCOFIELD, GERARD, SINGLETARY & POHORELSKY,  
Richard E. Gerard Jr. Esq., John B. Scofield Esq., Robert E. Landry Esq.;  
WILLIAM B SWIFT, LLC,  
William Brock Swift Esq.;  
Counsel for Applicant;

BAGGETT, MCCALL, BURGESS, WATSON & GAUGHAN,  
Wells Talbot Watson Esq.;  
COX, COX, FLOO, CAMEL & WILSON,  
Richard Elliott Wilson Esq.;  
DONOHUE PATRICK, PLLC,  
Kirk Albert Patrick III Esq.;  
PETER J BUTLER, LLC,  
Peter J. Butler Esq.;  
Counsel for Respondent

NOTE: FOR BRIEFING PURPOSES WRIT GRANTED February 4, 2011  
MEMORANDUM TO COUNSEL IN CAPTIONED CASE:

Please note Section 8 of Rule VII of the Rules of this Court (as revised November 19, 1991) provides that the applicant or relator, as the case may be, must file their briefs within 25 days and the respondent within 45 days, respectively, from the date of granting of this writ. Briefs should be timely filed if oral argument is desired. Briefs submitted on legal sized paper should be fastened at the top. All briefs should be backed with the customary "Blueback" or other flexible material. In criminal proceedings, the court directs that counsel must file a brief. Failure to do so may subject counsel to a penalty of contempt of Court.

It is further provided in Rule VII, Section 9 that briefs sent through the mail shall be deemed timely filed if mailed on or before the due date. If the brief is received by mail on the first legal day following the expiration of the delay, there shall be a rebuttable presumption that it was timely filed. In all cases where the presumption does not apply, the timeliness of the mailing shall be shown only by an official United States postmark or by official receipt or certificate from the United States Postal Service made at the time of mailing which indicates the date thereof. Therefore, if your brief is sent by certified mail, you may want to send us a copy of your official receipt showing date of mailing.

Very truly yours,

John Tarlton Olivier  
Clerk of Court

*Rachel Edelman*

By: Rachel Edelman  
Deputy Clerk of Court

RE/fe

**The Supreme Court of the State of Louisiana**

CRAIG STEVEN ARABIE, ET AL.

NO. 2010-C-2605

VS.

CITGO PETROLEUM CORPORATION, ET AL.

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IN RE: Citgo Petroleum Corporation et al.; - Defendant; Applying For  
Writ of Certiorari and/or Review, Parish of Calcasieu, 14th Judicial  
District Court Div. G, No. 2007-2738; to the Court of Appeal, Third  
Circuit, No. 10-244;

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February 4, 2011

Granted. See Order Attached.

JTK  
BJJ  
JPV  
JLW  
GGG  
MRC

Supreme Court of Louisiana  
February 4, 2011

*Richard Adelman*

Deputy Clerk of Court  
For the Court

The Supreme Court of the State of Louisiana

CRAIG STEVEN ARABIE, ET AL

VS.

No. 2010-C-2605

CITGO PETROLEUM CORPORATION, ET AL

In Re: Citgo Petroleum Corporation, et al

applying for Writ of Certiorari and/or Review on the docket of the 14th Judicial District Court Div. G for the Parish of Calcasieu No. 2007-2738 on the docket of the Court of Appeal, Third Circuit No. 10-244, State of Louisiana.

And, whereas, the Court has this date, pursuant to Article 5, Section 5, of the Constitution of Louisiana, made and issued the following order, to wit—“ It is ordered that the writ of review issue; that the District Court and the Court of Appeal send up the record in Duplicate of the case; and that counsel for all parties be notified.”

Now, therefore, the said District Court and the Court of Appeal is hereby commanded, in the name of the State of Louisiana and of this Honorable Court, to send up forthwith to this Court, at the City of New Orleans, the record in duplicate of the above entitled case.

Witness the Honorable Justices of the

Supreme Court of the State of Louisiana, on

this 04th day of February, in the year of our

Lord, Two Thousand-Eleven.

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John Tartton Olivier  
Clerk of Court

*Rachel Ashman*  
Deputy Clerk of Court