

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA  
2004 JUN 23 PM 3:30  
LORETTA G. WHYTE  
CLERK

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

LORETTO O'REILLY, JR., *ET AL.*

CIVIL ACTION

*Plaintiffs*

NO 04-0940

*versus*

SECTION "A)(5)

UNITED STATES ARMY  
CORPS OF ENGINEERS

JUDGE ZAINY  
MAG. JUDGE CHASEZ

**MOTION FOR LEAVE TO INTERVENE**

NOW INTO COURT, through Walter R. Woodruff, comes, Eric A. Bopp, sought to be made an Intervenor herein, and states the following grounds upon which he should be allowed to intervene in this matter affecting a certain Corps of Engineer permit issued with regard to Timber Branch II which is the subject of the captioned litigation.

1. The aspiring intervenor has an interest in the matter before the Court in that it is the property owned by him and his family, heretofore referred to in the administrative proceedings as the Planche family, that is made the subject of the permit now being challenged herein.

2. The intervenor's family has heretofore been represented in these proceedings by August J. Hand, the developer of the subdivision known as Timber Branch II, who has since left the handling of this matter to the Corps of Engineers and its counsel, who have ably represented the Corps of Engineers but is not a personal representative of the owners of the property upon which the § 404 dredge and fill permit at issue here has been granted.

DATE OF ENTRY  
JUN 25 2004

Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Dktd. *AW*  
V CtRmDep \_\_\_\_\_  
Doc. No. *13*

3. The undersigned has been requested to assume the role of August J. Hand and represent the owners of the property referred to herein as Timber Branch II, and undersigned desires to be permitted to appear herein as an intervening defendant to oppose the issuance of a preliminary injunction, to resist the challenge to the Corps of Engineers permit heretofore issued, and for all other necessary and proper matters to represent the interests of the owners of the said property.

WHEREFORE, , prays that leave be granted to Eric A. Bopp to intervene in these proceedings on behalf of the Planche family, the owners of the property to which the Corps of Engineers permit sought to be enjoined herein relates.

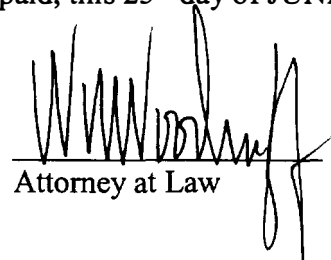
Respectfully submitted,



\_\_\_\_\_  
WALTER R. WOODRUFF (#25305)  
Edward S. Bopp - A Law Corp.  
Attorney for Intervenor, Eric A. Bopp  
6725 St. Claude Avenue  
Suite 102  
Arabi, LA 70032  
Tel.: [504] 271-6242

**CERTIFICATE OF SERVICE**

I certify that I have served a copy of the foregoing upon all other counsel of record herein by United States Mail, first class postage prepaid, this 23<sup>rd</sup> day of JUNE, 2004.



\_\_\_\_\_  
Attorney at Law

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**ORDER**

Considering the foregoing motion for leave to intervene in these proceedings, it appearing to the Court that the mover has an appropriate interest at stake in these proceedings to be joined with the defendant, Corps of Engineers,

IT IS ORDERED that Eric A. Bopp be, and he hereby is, granted leave to intervene in these proceedings, as they presently exist, and that he may file a memorandum in opposition to the motion for preliminary injunction and participate in these proceedings as a party defendant.

New Orleans, Louisiana this 24<sup>th</sup> day of JUNE, 2004.

  
\_\_\_\_\_  
DISTRICT JUDGE