

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX

COMMISSIONER OF THE DEPARTMENT	:	CIVIL ACTION
OF PLANNING AND NATURAL	:	
RESOURCES, ALICIA V. BARNES,	:	
et al.	:	
	:	
	:	
v.	:	
	:	
CENTURY ALUMINUM COMPANY,	:	
et al.	:	NO. 05-62

ORDER

AND NOW, this 18th day of December, 2012, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that the motion of defendants HOVENSA, LLC and Hess Oil Virgin Islands Corporation to exclude the expert report and testimony of Vance P. Vicente, Ph.D. (Doc. #1222) is GRANTED as to the stunted mangroves, the causes of the injured and absent seagrasses, and the areal extent of injuries and otherwise DENIED.

BY THE COURT:

/s/ Harvey Bartle III  
HARVEY BARTLE III J.  
SITTING BY DESIGNATION