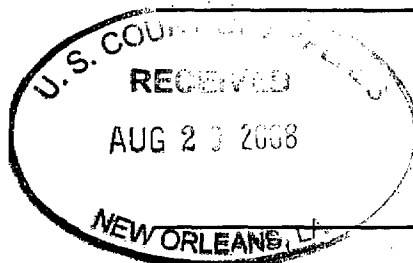


CASE NO. 08-20338



IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

U. S. COURT OF APPEALS
FILED
AUG 23 2008

OCEANIC EXPLORATION COMPANY and PETROTIMOR FULBRUGE III
COMPANHIA DE PETROLEOS, S.A.R.L., *Plaintiffs-Appellants*, CLERK

v.

CONOCOPHILLIPS, CONOCOPHILLIPS COMPANY, *et al.*,
Defendants-Appellees.

MOTION FOR LEAVE TO FILE OPTIONAL RECORD EXCERPTS
IN EXCESS OF RULE 30.1.6 PAGE LIMITS

TO THE HONORABLE COURT:

Plaintiffs-Appellants Oceanic Exploration Company and Petrotimor
Companhia de Petroleos, S.A.R.L. move this Court for leave to file optional record
in excess of the page limits contained in Fifth Circuit Local Rule 30.1.6, and in
support, shows as follows:

1. This appeal involves, *inter alia*, a Rule 12(c) dismissal on the
pleadings. As the primary issue on appeal involves the sufficiency of the
allegations made in the operative Second Amended Complaint, Oceanic wishes to

The Opposed / Unopposed
Motion to file RG in
excess pages
Is Granted in Part Denied

AUG 25 2008

include a complete copy of that complaint in the optional contents of the Record Excerpts pursuant to Fifth Circuit Local Rule 30.1.5.

2. However, the Second Amended Complaint is 67 pages in length, thus exceeding the 40-page limit on the optional content of the Record Excerpts as set forth in Fifth Circuit Local Rule 30.1.6.

3. Oceanic believes that the inclusion of the entire Second Amended Complaint in the Record Excerpts is essential to the adjudication of the issues on appeal. Thus, Oceanic requests leave to include the entire complaint as an optional record excerpt rather than including only a version artificially truncated by twenty-seven pages.

4. The Second Amended Complaint is the only document Oceanic seeks to include as optional content in the Record Excerpts.

5. Copies of the proposed record excerpts inclusive of the Second Amended Complaint are being tendered with this Motion.

WHEREFORE, PREMISES CONSIDERED, Oceanic respectfully prays that this Court grant this motion and allow Oceanic to include its Second Amended Complaint in the Record Excerpts.

Respectfully submitted,

Date: August 19, 2008

DIAMOND MCCARTHY LLP

By: 

James D. McCarthy (counsel of record)

Michael S Truesdale

1201 Elm Street, Suite 3400

Dallas, TX 75270

BONDURANT, MIXSON & ELMORE, LLP

Emmet J. Bondurant

1201 West Peachtree Street NW, Suite 3900

Atlanta, GA 30309

QUINN EMANUEL URQUHART OLIVER &
HEDGES LLP

Jon Corey

865 S. Figueroa St., Suite 10

Los Angeles, CA 90017

Tel: 213/443-3130

Fax: 213/443-3100

*Attorneys for Oceanic Exploration Company
and Petritimor Companhia de Petroleos
S.A.R.L*

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was served upon the following persons by electronic mail and certified mail, return receipt requested on this, the 19th day of August, 2008:

Counsel for the ConocoPhillips Defendants:

Martin D. Beirne
Beirne, Maynard & Parsons, L.L.P.
1300 Post Oak Boulevard
Suite 2500
Houston, Texas 77056

Herbert M. Wachtell
John F. Lynch
Wachtell, Lipton, Rosen & Katz
51 W. 52nd Street
New York, New York 10019

Finis E. Cowan, Jr.
Collin J. Cox
Yetter & Warden, LP
909 Fannin, Suite 3600
Houston, Texas 77010

Ronald D. Krist
The Krist Law Firm, P.C.
South Shore Harbour Resort Complex
2600 South Shore Boulevard, Suite 120
League City, Texas 77573

Thomas D. Yannucci, P.C.
Michael D. Jones
Brant W. Bishop
Kirkland & Ellis LLP
655 Fifteenth Street, N.W
Washington, D.C. 20005-5793

**Former Counsel for Defendant Timor Sea Designated Authority for the Joint
Petroleum Area**

B. Thomas Peele, III
Baker & McKenzie LLP
815 Connecticut Avenue, NW
Washington, DC 20006-4078



James D. McCarthy

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

August 25, 2008

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:


No. 08-20338 Oceanic Expl Co v. Conocophillips Inc
USDC No. 4:07-CV-815

The court has granted the motion for leave to file Record Excerpts in excess of 40 pages, but this decision is subject to reconsideration by the merits panel.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: _____


Linda Miles, Deputy Clerk
504-310-7709

Mr Emmet J Bondurant II
Mr Allan Brent Diamond
Mr John Earl Floyd
Mr James Dennis McCarthy
Mr Michael Brian Terry
Mr Michael S Truesdale
Mr James Joseph Webster
Mr Martin D Beirne
Mr Brant Warren Bishop
Mr John F Lynch
Mr Jeffrey Taylor Nobles
Mr David Allen Pluchinsky
Mr Herbert Maurice Wachtell

MOT-2