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Dear Clients:

As you may have already read in the Times Picayune, the Court recently rendered judgment in our favor following Phase One trial. Phase One, as you will recall, concerned only the narrow question of whether the defendants that owned vessels - Ingram Barge Company, Joseph C. Domino Towing, and Unique Towing - knew or should have known of the roles they may have played in this maritime disaster. We were successful in defeating this particular element of the limitation-of-liability defense, thereby forcing these defendants to stand trial for their negligence.

My co-counsel, Lawrence D. Wiedemann and Patrick J. Sanders, are to be commended for their fearless and heroic efforts in Phase One. Without their collaboration, this battle may have ended differently. But despite this victory, the war has still only just begun.

Now begins Phase Two. From this point forward, we are on the offensive. Phase II will most likely involve two questions: (1) whose fault was the barge breakaway; and (2) whether the barge played a part in the flooding of the Lower Ninth Ward and parts of St. Bernard. Although there are never any guarantees, we grow ever more confident of a major victory in the months ahead.

I want to make several key points.

First, I reiterate that we in this lawsuit are presently pursuing only Ingram, Lafarge, Zito, Domino and Unique. If any of you feel the need to pursue other parties for the eastern Industrial Canal floodwall breaches between N. Claiborne and Florida Avenues, you should retain additional counsel in this regard. Should you do so, it will not affect your status as my client. Neither *should* it adversely affect your rights in this lawsuit. Be aware, however, that deadlines may govern any rights to pursue other parties. If any deadlines are missed, you could lose your rights as to those other parties. Unfortunately, we cannot help you make this decision.

Second, please understand that we are not at the point where money is awarded. Compensation will probably not be addressed by the Court until Phase Four. Although my staff and I are happy to answer questions about the lawsuit, there is no reason at this time to contact my office concerning any distribution of money. It does not exist yet. Rest assured that there will be plenty of alarms and sirens when and if compensation becomes available, such as, for example, mail and phone calls from this office, various notices published in newspapers, possible radio and

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television advertisements, and probably some news media coverage. Due care will be taken to ensure that nobody misses our summons.

Third and finally, although we have identified several eyewitnesses who saw the barge coming through the wall, we still want to know if anyone else saw it. The more witnesses we can call to testify, the more thorough and effective our attack.

Thanks to all of you who have prayed for this victory, and who have called to lend your encouragement and support. Your continued confidence is greatly appreciated.

Yours very truly,

BRIAN A. GILBERT

BAG/jrc