

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

MEXICAN GULF FISHING COMPANY, <i>et al.</i>	:	Civil Action No. 2:20-cv-2312
	:	
	:	Section “E” (1)
	:	
<i>Plaintiffs,</i>	:	Judge Suzie Morgan
	:	
v.	:	Magistrate Judge Janis Van Meerveld
	:	
U.S. DEPARTMENT OF COMMERCE, <i>et al.</i>	:	
	:	
	:	Unopposed Motion to Amend or Alter
	:	Class Certification and to Confirm
<i>Defendants.</i>	:	Class Counsel

**PLAINTIFFS’ UNOPPOSED MOTION TO AMEND OR ALTER CLASS
CERTIFICATION AND TO CONFIRM CLASS COUNSEL**

COME NOW, Plaintiffs, Captain Billy Wells and Mexican Gulf Shipping Company (“Mexican Gulf”), Captain Allen Walburn and A&B Charters, Inc. (“A&B”), Captain Kraig Dafcik, Captain Joseph Dobin and Captain Joey D. Charters (“Joey D. Charters”), Captain Frank Ventimiglia and Ventimiglia Charters, and Captain Jim Rinckey and Fishing Charters of Naples (“Fishing Charters”), submit this unopposed motion, pursuant to Federal Rule of Civil Procedure 23(c)(1)(C), to amend or alter the type of class certification granted in the Order and Reasons, ECF No. 48, and to confirm their class counsel. This Court previously certified this class action under Federal Rule of Civil Procedure 23(b)(3). ECF No. 48 at 22. Plaintiffs now respectfully move this Court to amend that grant of certification to a class action under Federal Rule of Civil Procedure 23(b)(2). Plaintiffs also move this Court to confirm Mr. Grimsal from Gordon, Arata, Montgomery, Barret, McCollam, Duplantis & Eagan, LLC and Mr. Vecchione from the New Civil Liberties Alliance (“NCLA”) as class counsel.

An accompanying memorandum in support of this unopposed motion is submitted with this motion.

Dated: July 02, 2021

Respectfully submitted,

**GORDON, ARATA, MONTGOMERY,
BARNETT, McCOLLAM, DUPLANTIS
& EAGAN, LLC**

By: /s/_____
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NEW CIVIL LIBERTIES ALLIANCE

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CERTIFICATE OF SERVICE

I do hereby certify that on this 2nd day of July, 2021, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all attorneys of record.

/s/ John J. Vecchione
John J. Vecchione