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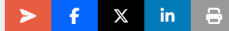
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## Judge Dismisses Mississippi Death Claim Against Omega Protein

October 12, 2014

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### Article

The mother of a 24-year-old Mississippi man who died in 2012 during a machinery incident at Omega Protein plant in Moss Point will appeal the dismissal of her wrongful death lawsuit against the company.

The suit was filed in April in federal court in Gulfport by Cynthia Hebert, the mother of Christopher Allen Hebert. The lawsuit sought unspecified damages. It was dismissed in September.

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Attorneys for Cynthia Hebert notified the federal court Friday that an appeal will be filed with the 5th U.S. Circuit Court of Appeals in New Orleans.

The Sun Herald reported U.S. District Judge Sul Ozerden ruled Cynthia Hebert failed to produce evidence that showed how Omega, acting through employees, was responsible for Christopher Hebert's death.

Hebert was dragged into a conveyor as he did maintenance work on April 9, 2012, and died from blood loss related to his injuries, according to Jackson County authorities. Hebert had worked at Omega Protein in Moss Point for three years.

On the day he was killed, the lawsuit said Hebert's safety monitor left while he was inside the conveyor and that another worker turned on the machinery, dragging him to his death.

Ozerden, in granting Omega's motion to dismiss, said Hebert's "theory of the case would require a jury to accept a series of conclusory allegations, improbable inferences, and unsupported speculation in order to return a verdict for (her)."

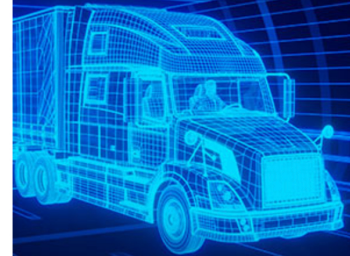
Hebert's death, the judge said, falls under the Mississippi Workmen's Compensation

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Hebert's death, the judge said, falls under the Mississippi Workmen's Compensation Act rather than the court's jurisdiction. Workman's compensation covers wrongful deaths cases, even when negligence is involved.

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In September 2012, the U.S. Department of Labor's Occupational Safety and Health Administration cited Omega Protein with 25 safety and health violations based on an inspection prompted by Hebert's death. The EEOC proposed a fine of \$79,200.

Omega Protein operates a menhaden, or poggy, fishing fleet and processing facility in Moss Point, and it produces fish oils and fish meal for human consumption and for use in aquaculture, agriculture and industrial applications.

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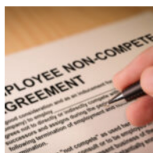


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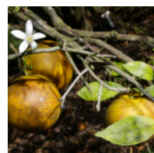
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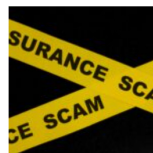
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