UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

LATONYA SHERELL ANDERSON	**CIVIL ACTION**
VERSUS	**NO. 17-3022** **Also filed in: 17-3132, 17-3516, 17-3628, 17-3310, 17- 3598, 17-3053, 17-3125, 17-3443, 17-3499, 17-3647, 17-3265, 17-4367, 17-4453**
BP EXPLORATION & PRODUCTION, INC. ET AL.	**SECTION: "H"**

ORDER AND REASONS

Before the Court are identical motions from 14 different Plaintiffs. Each Plaintiff filed a Motion to Continue All Scheduling Deadlines and to Refrain from Ruling on Dispositive Motions Pending the Completion of General Causation Discovery. Defendants BP Exploration & Production, Inc.; BP America Production Company; and BP p.l.c. (collectively, "BP") oppose.

These 14 Plaintiffs are among the "B3 bundle" of cases arising out of the *Deepwater Horizon* oil spill.[1] This bundle comprises "claims for personal injury

[1] *See* In Re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, No. 10-md-02179, R. Doc. 26924 at 1 (E.D. La. Feb. 23, 2021).

and wrongful death due to exposure to oil and/or other chemicals used during the oil spill response (e.g., dispersant)."[2] These cases were originally part of a multidistrict litigation ("MDL") pending in the Eastern District of Louisiana before Judge Barbier. During this MDL, Judge Barbier approved the *Deepwater Horizon* Medical Benefits Class Action Settlement Agreement, but the B3 plaintiffs either opted out of this agreement or were excluded from its class definition.[3] Subsequently, Judge Barbier severed the B3 cases from the MDL to be reallocated among the judges of this Court.[4] The above 14 cases were reassigned to Section H.[5]

Plaintiffs ask the Court to continue all deadlines in their respective scheduling orders until their counsel has concluded discovery on BP's alleged failure to conduct dermal monitoring and biomonitoring on the oil spill response workers. Under Federal Rule of Civil Procedure 16(b), a scheduling order "may be modified only for good cause and with the judge's consent." Here, the Court finds that the need for additional discovery does not constitute good cause for extending *all* deadlines in each scheduling order. Plaintiffs' Motions also request that, in light of pending discovery issues in the case of *Torres-Lugo v. BP Exploration & Production, Inc.*, No. 20-210, the Court should refrain from addressing any pending dispositive motions submitted by BP. However, the Court finds that the outcome of the additional discovery in *Torres-Lugo* does not affect the issues presented in many of BP's pending motions.

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[2] *Id.*
[3] *Id.* at 2 n.3.
[4] *Id.* at 7–8.
[5] *See* Doc. 7.

Accordingly, **IT IS ORDERED** that the Motions to Continue All Scheduling Deadlines and to Refrain from Ruling on Dispositive Motions Pending the Completion of General Causation Discovery are **DENIED** in the following cases:

Case No.	Case Name	Doc. #
17-3132	Cotton v. BP Exploration & Production, Inc., et al.	Doc. 58
17-3516	Brown v. BP Exploration & Production, Inc. et al	Doc. 79
17-3022	Anderson v. BP Exploration & Production, Inc. et al	Doc. 60
17-3628	Aubert v. BP Exploration & Production, Inc. et al	Doc. 50
17-3310	Joiner v. BP Exploration & Production, Inc. et al	Doc. 52
17-3598	Peschlow v. BP Exploration & Production, Inc. et al	Doc. 44
17-3053	Booth v. BP Exploration & Production, Inc. et al	Doc. 82
17-3125	Charles v. BP Exploration & Production, Inc. et al	Doc. 50
17-3443	Abdelfattah v. BP Exploration & Production, Inc. et al	Doc. 48
17-3499	Boler v. BP Exploration & Production, Inc. et al	Doc. 50
17-3647	Colbert v. BP Exploration & Production, Inc. et al	Doc. 72
17-3265	Harris v. BP Exploration & Production, Inc. et al	Doc. 47
17-4367	Jenkins v. BP Exploration & Production, Inc. et al	Doc. 60
17-4453	Moore v. BP Exploration & Production, Inc. et al	Doc. 51

New Orleans, Louisiana this 11th day of August, 2022.

JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE