

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

RUSHION TIMOTHY HARRIS

CIVIL ACTION

VERSUS

NO. 17-3267

BP EXPLORATION &  
PRODUCTION INC., *et al.*

SECTION M (1)

**ORDER & REASONS**

Before the Court is a *Daubert* motion *in limine* to exclude the general causation opinions of plaintiff's medical expert Dr. Jerald Cook filed by defendants BP Exploration & Production Inc., BP America Production Company, BP p.l.c., Halliburton Energy Services, Inc., Transocean Holdings LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc. (collectively, "Defendants").<sup>1</sup> Plaintiff Rushion Timothy Harris responds in opposition.<sup>2</sup>

Also before the Court is Defendants' motion for summary judgment in which they argue that the case should be dismissed because Harris cannot prove general causation without Cook's opinions.<sup>3</sup> Harris responds in opposition.<sup>4</sup>

Defendants' motions here are nearly identical to those filed by Defendants, and granted by this Court, in other B3 cases.<sup>5</sup> *See, e.g., Carpenter v. BP Expl. & Prod., Inc.*, 2022 WL 2757416 (E.D. La. July 14, 2022); *Johns v. BP Expl. & Prod. Inc.*, 2022 WL 1811088 (E.D. La. June 2, 2022); *Johnson v. BP Expl. & Prod. Inc.*, 2022 WL 1811090 (E.D. La. June 2, 2022); *Macon v. BP Expl. & Prod. Inc.*, 2022 WL 1811135 (E.D. La. June 2, 2022); *Murray v. BP Expl. & Prod.*

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<sup>1</sup> R. Doc. 54.

<sup>2</sup> R. Doc. 58.

<sup>3</sup> R. Doc. 53.

<sup>4</sup> R. Doc. 57.

<sup>5</sup> Dr. Cook updated his report on June 21, 2022. R. Doc. 54-3. The Court has reviewed the new report and concludes that it does not cure the previously identified deficiencies in Cook's prior reports; specifically, the June 21 report does not provide admissible general causation opinions. *Id.*


*Inc.*, 2022 WL 1811138 (E.D. La. June 2, 2022); *Street v. BP Expl. & Prod. Inc.*, 2022 WL 1811144 (E.D. La. June 2, 2022).

Accordingly, for the reasons stated in the Orders & Reasons issued in those cases,

IT IS ORDERED that Defendants' *Daubert* motion to exclude Cook (R. Doc. 54) is GRANTED.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment (R. Doc. 53) is GRANTED, and Harris's claims against them are DISMISSED WITH PREJUDICE.

New Orleans, Louisiana, this 30<sup>th</sup> day of August, 2022.

  
BARRY W. ASHE  
UNITED STATES DISTRICT JUDGE