

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

COTTON BAYOU MARINA, INC.;	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO.: 1:10-cv-243-C
	)	
BP, PLC; et al.,	)	
	)	
Defendants.	)	

**MOTION FOR ENLARGEMENT OF TIME**

Defendants BP America Inc. and BP Products North America Inc.

(collectively the “BP Defendants”) hereby move the Court for a 30 day enlargement of time from June 3, 2010, to July 5, 2010, within which to file a response to the complaint. As grounds for this motion, BP states:

1. This case is one of well over a hundred cases filed in various state and federal courts in the southeastern United States arising out of an explosion and fire onboard Transocean’s Deepwater Horizon drilling rig on April 20, 2010, and the ensuing oil spill from the BP well located on Mississippi Canyon Block 252 (the “Deepwater Horizon Incident”).

2. Since April 20, 2010, numerous plaintiffs have filed individual or class actions alleging personal injuries, injury to their business or commercial interests or injury to their real or personal property arising from the Deepwater Horizon Incident. At least 80 of these suits are styled as class actions. These

actions are dispersed across multiple state and federal courts throughout the southeastern United States, including courts in Louisiana, Texas, Mississippi, Alabama and Florida. Approximately thirty (30) such actions have been filed in Alabama alone.

3. Because of the sheer number of related actions filed in multiple jurisdictions in a short period of time and the numerous allegations in the complaints, the BP Defendants require additional time within which to prepare adequately and file a responsive pleading in this case. Plaintiffs will not suffer any prejudice from this extension.

4. In addition, on May 17, 2010, Defendant Halliburton Energy Services, Inc. filed a motion to stay further proceedings in this case pending a decision by the Judicial Panel on Multidistrict Litigation on whether to consolidate the many cases, including this case, related to the Deepwater Horizon Incident before one Multidistrict Litigation Court. *See* Defendant Halliburton Energy Services, Inc.'s Motion To Stay Proceedings And Memorandum In Support (Doc. 7). That motion is currently pending before the Court. If the Motion to Stay is granted, the deadline for the BP Defendants' response to the complaint will be suspended until such time as a determination is made as to the forum in which this case will initially proceed. If the cases are consolidated, it would be in the interests of judicial economy and serve to avoid inconsistent results for that forum to handle those issues raised in response to the various complaints.

**WHEREFORE**, the BP Defendants respectfully move the Court for an order allowing an additional thirty (30) days from June 3, 2010, to July 5, 2010, within which the BP Defendants may file a response to the complaint.

*s/ William H. Brooks*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of May, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*s/ William H. Brooks*  
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