

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

COTTON BAYOU MARINA, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 10-0243-WS-C
)	
BP, PLC, et al.,)	
)	
Defendants.)	

ORDER

This matter comes before the Court on the Defendant Halliburton Energy Services, Inc.’s Renewed Motion to Stay Proceedings (doc. 54), as supplemented by a Reply (doc. 68).

On August 10, 2010, the United States Judicial Panel on Multidistrict Litigation entered a Transfer Order in *In re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010*, MDL No. 2179. The effect of this Transfer Order is to transfer 77 Deepwater Horizon-related actions to the U.S. District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings. The Transfer Order does not expressly reach this case, much less effectuate its transfer to the Eastern District of Louisiana, inasmuch as this action postdates the original motions for transfer and consolidation filed in other Deepwater Horizon cases. Nonetheless, in its Reply, defendant Halliburton requests a stay of this action based on the Transfer Order because (i) it is a tagalong action, (ii) it is likely to be conditionally transferred to the Eastern District of Louisiana, and (iii) the transferee court has indicated in MDL No. 2179 that, as to that action, “[e]ach defendant is granted an extension of time for responding by motion or answer to the complaint(s) until a date to be set by this Court.” (Doc. 68, Exh. B, ¶ 8.)

Based on its review of the Transfer Order in MDL No. 2179, as well as the operative Complaint in this case, the Court concurs with Halliburton’s assessment that transfer of this action to the Eastern District of Louisiana in the near future appears likely. In light of that fact, and because the transferee court has expressly stayed all deadlines for answers or Rule 12(b)

motion practice in the consolidated proceedings, the Court finds that the interests of justice would be served by entry of a stay in this case until such time as the MDL Panel rules on the transfer issue. Accordingly, the Motion to Stay Proceedings (doc. 54) is **granted**, and this action is **stayed** pending a decision from the MDL Panel as to whether this case will be transferred to the Eastern District of Louisiana.

DONE and ORDERED this 23rd day of August, 2010.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE