

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

MARK ROWLEY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 15-00408-KD-B
)	
BP EXPLORATION & PRODUCTION, INC., et al.,)	
)	
Defendants.)	

ORDER

This action is before the Court on Plaintiff Mark Rowley’s Motion for Leave to Disclose Expert Evidence Out of Turn, Disclosures Pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure, and Declaration and Defendants’ response in opposition (docs. 29, 29-1, 29-2, 36).

In the Motion, Plaintiff states that before August 13, 2015 he “sent thousands of pages of medical records [and] doctor’s reports . . . to the Defendant counsel’s predecessor” and that that “information, which is no longer in Plaintiff’s possession, provided Defendant with all the information that would have been disclosed pursuant to Fed. R. Civ. P. 26(a)(2)” (doc. 29). In the Disclosure, Plaintiff identifies two pulmonologists: Dr. Phillip O. Rowlings, M.D., of Providence, Rhode Island and Dr. Scott Saucier of Mobile, Alabama, as his experts. Plaintiff states that Dr. Saucier “has executed two letters previously provided to representatives of the Defendant, including its predecessor counsel confirming his opinion on causation. . . .” (doc. 29-1). In the Declaration, Plaintiff states that he provided copies of his “medical records to the lawyer representing BP in this case that proceeded the company’s current law firm”(sic) (doc. 29-2). He also states that the doctors identified in his Disclosure both advised him that his pulmonary health issues were directly caused by his exposure to chemicals used in his work cleaning up

after the oil spill. (*Id.*)

Upon consideration of the Motion, Disclosure, Declaration, and the Response, Defendants are **ORDERED** to provide the Court, on or before **May 27, 2016**, with specifics as to when Defendants first had information concerning Dr. Rowlings and Dr. Saucier, what information they had, and when they first received medical records of these doctors, including the letters executed by Dr. Saucier.

DONE and **ORDERED** this 18th day of May 2016.

s / Kristi K DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE