

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**KENNETH JOE MAY; MARY ANN MAY;
STEVE SNOWDEN; and CINDY SNOWDEN**

PLAINTIFFS

v.

No. 4:13-cv-494-DPM

BHP BILLITON PETROLEUM (Fayetteville) LLC

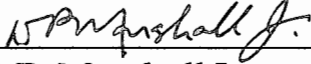
DEFENDANT

ORDER

Joint report, *No. 125*, noted. BHP is not obligated to pay for plaintiff May's expenses or time, or for counsel's time, related to the canceled deposition. BHP must pay McArthur his standard (albeit high) hourly rate (\$500) for time in deposition per the transcript. BHP shall also pay each expert for one additional hour beyond transcript time on the day of deposition to cover breaks, getting to and from the place of deposition, and the like. BHP is not obligated to pay for deposition preparation time. This would be contrary to usual practice in this district. And absent some prior specific agreement between counsel, which the Court does not see, BHP has no obligation to pay any expert's travel expenses. Counsel sometimes trade expense reimbursement for location. But that apparently didn't happen here.

Joint report, № 125, addressed.

So Ordered.



D.P. Marshall Jr.
United States District Judge

16 September 2015