

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. 52*, noted. To protect BHP's confidential and sensitive business information, the 29 January 2015 Rule 30(b)(6) deposition shall be taken under seal. On issue 1: Plaintiffs may inquire fully about BHP's actions and inaction on these four leases. If the deponent's answers show that BHP's decisions on these leases were made, in whole or in part, as part of a Fayetteville-shale-wide plan or strategy, then plaintiffs are entitled to documents and records about that strategy. On issue 2: Plaintiffs may ask the witness the questions BHP suggests, *No. 52 at 6*, and inquire generally about the write down. Plaintiffs, though, must (eventually) link the accounting step to these four leases for it to make any difference on plaintiffs' claims. For now, some inquiry is allowed so plaintiffs can try to make the link.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

21 January 2015