

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**LEE SMITH,
Plaintiff**

CIVIL ACTION

VERSUS

NO. 17-4586

**BP EXPLORATION & PRODUCTION
INC., ET AL.,
Defendants**

SECTION: “E” (5)

ORDER AND REASONS

Before the Court is a motion *in limine* to exclude the opinions of Lee Smith’s (“Plaintiff”) general causation expert, Dr. Jerald Cook (“Cook”), filed by BP Exploration & Production, BP America Production Company, and BP p.l.c. (collectively “Defendants”).¹ Also before the Court is the Defendants’ motion for summary judgment.² Plaintiff has filed oppositions to both motions, and Defendants have filed replies. Plaintiff separately filed a spoliation motion,³ which Defendants oppose. The Court is prepared to rule on pending motions herein.

Defendant’s motion *in limine* and motion for summary judgment are nearly identical to the ones filed by Defendants, and granted by this Court, in other B3 cases.⁴ Likewise, Plaintiff’s spoliation motion is nearly identical to the ones filed by other B3 Plaintiffs, and denied by this Court, in other B3 cases.⁵

¹ R. Doc. 46. Halliburton Energy Services, Inc., Transocean Holdings LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc., additional Defendants, join in the motion *in limine*.

² R. Doc. 45. Halliburton Energy Services, Inc., Transocean Holdings LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc., additional Defendants, join in the motion for summary judgment.

³ R. Doc. 49.

⁴ See *Bruton v. BP Exploration & Production, Inc., et al.*, Civ. A. 17-3110 at R. Doc. 107 (E.D. La. 11/30/2022) (Morgan, J.); *Harrison v. BP Exploration & Production, Inc, et al.*, Civ. A. 17-4346 at R. Doc. 85 (7/1/2022) (Morgan, J.).

⁵ *Bruton*, Civ. A. 17-3110 at R. Doc. 107.

Accordingly, for the reasons stated in the Orders & Reasons issued in the cited B3 cases;

IT IS ORDERED that the motion *in limine* is **GRANTED**.

IT IS FURTHER ORDERED that the spoliation motion is **DENIED**.

IT IS FURTHER ORDERED that the motion for summary judgment is **GRANTED**. Judgment is granted in favor of Defendants BP Exploration & Production, BP America Production Company, BP p.l.c., Halliburton Energy Services, Inc., Transocean Holdings LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc., and against Plaintiff on all claims.

New Orleans, Louisiana, this 25th day of May, 2023.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE