

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

| | | |
|---|---|------------------------|
| JOHN FARIS and FARIS PROPERTIES, |) | |
| LLC, individually, and on behalf of others |) | |
| similarly situated, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | No. 3:10-cv-222 |
| |) | (Phillips) |
| TRANSOCEAN, LTD, et al, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court on a Motion to Extend the Stay [Doc. 33] by defendants BP America Inc. and BP Products North America Inc. (collectively, “BP”), and two Motions for an Extension of Time to File an Answer [Docs. 29, 31] by defendant Cameron International Corporation (“Cameron”).

This case involves a suit to recover damages arising out an oil rig explosion and subsequent oil spill from a BP well. On June 7, 2010, the Court stayed this action pending a decision by the Judicial Panel on Multidistrict Litigation (“JPML”) on whether to transfer this case for pretrial discovery and proceedings in MDL 2179, *In Re Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010*. On August 10, 2010, the JPML issued its Transfer Order in MDL 2179. Forty-six cases were transferred for pretrial discovery to the Honorable Carl J. Barbier, United States District Judge for the Eastern District of Louisiana.

This action was not included in the defendants’ initial motion to transfer to an MDL proceeding. As a result, this case was not included in the August 10, 2010 Transfer Order.

However, the JPML has indicated that it will decide whether other cases -including this case- will be transferred to MDL 2179.

Accordingly, BP's Motion to Extend the Stay [Doc. 33] is **GRANTED**, whereby all proceedings in this case -including all pleading and answer deadlines- are stayed pending the transfer of this case to MDL 2179, or until 14 days after entry of an order by the JPML denying such transfer.

Finally, the Court **DENIES** defendant Cameron's Motions for an Extension of Time to File an Answer [Docs. 29, 31]. Cameron has moved for an extension up to and including July 12, 2010, to respond to the complaint. This motion is moot for two reasons. First, the date of the requested extension has obviously passed. Second, even if Cameron had requested an extension up to September, October, or some other time in the future- such motion will be moot if the JPML decides to transfer the case. However, in the event that the JPML decides not to transfer the case, Cameron may request an extension of time to respond to the complaint. Accordingly, the Motions for an Extension of Time to Respond [Docs. 29, 31] are **DENIED, with leave for Cameron to file a motion for an extension of time to respond to the complaint if the JPML decides not to transfer the case.**

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge