

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

In Re: Oil Spill by the Oil Rig	*	MDL 2179
“Deepwater Horizon” in the Gulf of	*	
Mexico on April, 20, 2010	*	SECTION J
	*	
	*	JUDGE BARBIER
This Document Applies to:	*	
12-968 and 12-970	*	MAG. JUDGE SHUSHAN
	*	

ORDER

[Regarding Objectors’ Presentations at the November 8 Fairness Hearing]

A Fairness Hearing regarding the proposed Economic and Property Damages Settlement Agreement and the proposed Medical Benefits Class Action Settlement Agreement is scheduled for Thursday, November 8, 2012 at 8:30 a.m. in Courtroom C-501. On September 11, 2012, the Court issued an Order regarding procedures for the Fairness Hearing. (Rec. Doc. 7358).¹ The Court stated that “only class member objectors who specifically requested permission to speak at the fairness hearing would be considered by the Court for the opportunity to speak.” (*Id.* at 3). Furthermore, the Court stated that it “intends to issue a supplemental order prior to the hearing designating objectors to be heard; for example, the Court may appoint representative counsel to cover similar objections at the hearing.” (*Id.* at 4).

After reviewing the various objections, and in accordance with the previous Order, the Court hereby designates the following persons as representative counsel to appear and present on the issues/objections described below. Representative counsel shall adhere to their respective time allocations.

¹ Unless otherwise noted, citations are to C.A. 10-md-2179.

Economic and Property Damages Settlement:

- Economic Loss Zone Issues (that the Settlement's Economic Loss Zones are unfair or improperly exclude potential class members). 10 minutes.
 - Stuart Smith (*See* Rec. Doc. 189, C.A. 10-7777).
- Coastal and Wetlands Property Zones (objections to the reasonableness of the zones and complaints of exclusion). 10 minutes.
 - Jim Garner (*See* Rec. Doc. 88, C.A. 10-7777).
- Seafood Compensation Program (objections to the fairness and adequacy of the Seafood Compensation Program) & Charter Boat Compensation (including VoO offset). 15 minutes.
 - Joe Waltzer (*See* Rec. Doc. 226, C.A. 10-7777).
- Cy Pres (legitimacy of Settlement Promotional Fund). 5 minutes.
 - Joseph Darrell Palmer (*See* Rec. Doc. 123, C.A. 10-7777).

In addition, Stephen Kreller, counsel for the direct action plaintiffs in *Thanh Hai, Inc., et al. v. BP American Production Co., et al.*, C.A. 11-3180, and *Hong Van Truong, et al. v. BP American Production Co., et al.*, C.A. 11-2766, submitted a reply brief in support of the Seafood Compensation component of the Economic and Property Damages Settlement. (Rec. Doc. 7710). In light of this filing, the Court allocates 5 minutes during the Fairness Hearing for Stephen Kreller to respond in support of the Seafood Compensation Program.

Medical Benefits Settlement:

- Cy Pres (legitimacy of Medical Grants). 5 minutes.
 - Joseph Darrell Palmer (*See* Rec. Doc. 124, C.A. 10-7777).
- Specified Physical Conditions Matrix Provides Inadequate Compensation. 5 minutes.
 - Robert McKee (*See* Rec. Doc. 185, C.A. 10-7777).
- Conditions Not Included on the Specified Physical Conditions Matrix. 5 minutes.
 - Marx Sterbcow (*See* Rec. Doc. 92, C.A. 10-7777).

SO ORDERED.

Signed in New Orleans, Louisiana this 1st day of November, 2012.



United States District Judge