

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico, on April 20, 2010	*	MDL 2179
	*	SECTION: J(2)
	*	
Applies to:		JUDGE BARBIER
<i>All Cases in the B3 Pleading Bundle</i>	*	
	*	MAG. JUDGE WILKINSON
	*	

ORDER TO SHOW CAUSE RE: COMPLIANCE WITH PTO 68

On October 21, 2019, the Court entered Pretrial Order No. 68 (“PTO 68”), which identified specific categories of documents that BP was required to provide to the B3 plaintiffs¹ and that the B3 plaintiffs were required to provide to BP by January 21, 2020. (Rec. [Doc. 26070](#), amended by Rec. Docs. 26077, 26088, 26113, 26200, 26400, 26414). The Court extended the deadline to February 20, 2020 for many B3 plaintiffs at their request. (Rec. Docs. 26199, 26206 & 26211). On April 13, 2020, BP filed a status report on the parties’ compliance with PTO 68. (Rec. [Doc. 26449](#)). The report states that BP has fulfilled its obligations under PTO 68.² The report also states that 99 B3 plaintiffs did not comply with PTO 68.

¹ “B3 plaintiffs” refers to the plaintiffs in the B3 pleading bundle, which includes all claims for personal injury and/or medical monitoring for exposure or other injury occurring after the explosion and fire of April 20, 2010. (Pretrial Order No. 25, Rec. [Doc. 983 at 2](#)).

² One plaintiff, Charlie Boggs, complains that BP has not produced the documents he submitted to the Gulf Coast Claims Facility (“GCCF”), which ceased operations in 2012. (Rec. [Doc. 26421](#)). PTO 68 did not require BP to produce these documents.

After reviewing the status report, the Court deems 8 of the 99 plaintiffs to be compliant with PTO 68:

Plaintiff	Case No.
Norwood, Margaret	17-03203
Evans, Robert	16-03966
Boggs, Charles Archibald	16-13476
Barefoot, Marian Gail	19-11663
Graham, Sarah Michele	19-11673
Keaghey, Keith Edward	19-11688
Wood, Richard V.	19-11701
Fitzgerald, Nathan Joseph	13-00650

BP's status report listed Norwood and Evans as having provided their PTO 68 submissions after the deadline. BP has since informed the Court that Norwood's submission was in fact timely. The Court excuses Evans because he is pro se and his production was provided before the status report was filed. As to Boggs, Barefoot, Graham, Keaghey, Wood, and Fitzgerald, BP states that they "submitted disclosures that did not comply with the technical production specifications of PTO 68 but were otherwise compliant." (Rec. [Doc. 26449](#) at 13 n.4). Although the Court deems these plaintiffs to be compliant, it cautions them and all other plaintiffs to follow the procedure required by the Court. **Failure to comply with technical production specifications in the future may result in the plaintiff being deemed non-compliant and/or subject to a monetary or other sanction.**

This leaves 91 plaintiffs who are purportedly non-compliant. These plaintiffs are identified in [EXHIBIT 1](#) attached to this Order. The plaintiffs are divided into two categories. "Category I" lists 22 plaintiffs who purportedly failed to provide the Supplemental Medical Disclosure Form (Ex. A to PTO 68, Rec. [Doc. 26070-1](#)) and the

Authorization for Release of Medical Records Information (Ex. B to First Amendment to PTO 68, Rec. [Doc. 26077-1](#)).³ “Category II” lists 69 plaintiffs who purportedly provided deficient or incomplete submissions.

PTO 68 warned that those who failed to comply would be subject to a show cause order. (See PTO 68 § I.C.3, Rec. [Doc. 26070](#)).

Accordingly,

IT IS ORDERED that the 91 plaintiffs identified in [EXHIBIT 1](#) to this Order shall SHOW CAUSE in writing by Monday, May 18, 2020 why their claims should not be dismissed for failing to comply with PTO 68. Any reply by BP shall be filed by Monday, May 25, 2020.

Plaintiffs who are not listed in [EXHIBIT 1](#) are not required to respond to this Order.

Notes Regarding Show Cause Responses:

1. Because PTO 68 did not require plaintiffs to file any documents in the Court’s record, the Court will not be able to examine the docket to determine if a plaintiff responded to PTO 68 or what he or she submitted. Therefore, plaintiffs who wish to have the Court review their PTO 68 submission(s) should include those documents as attachments to their Show Cause Response.
2. *Plaintiffs Represented by an Attorney* shall file Show Cause Responses in the master docket using CM/ECF and serve them on BP using the procedure outlined in First Amended PTO 12 (Rec. [Doc. 18627](#)). If an attachment to a Show Cause Response should be filed under seal (e.g., the attachment contains

³ Copies of these documents can also be found on the Court’s MDL 2179 public website, <http://www.laed.uscourts.gov/OilSpill/OilSpill.htm>, by clicking on the entries for October 21, 2019 (the Supplemental Medical Disclosure Form is attached to PTO 68) and October 28, 2019 (the Authorization for Release of Medical Records Information is attached to the First Amendment to PTO 68).

protected medical information), the attorney may email the attachment in pdf format to chambers at efile-Barbier@laed.uscourts.gov. The email shall state what plaintiff(s) the attachment pertains to, the CM/ECF document number of the corresponding Show Cause Response, and why the attachment should be filed under seal. Attorneys shall also provide a copy of any to-be-sealed documents to BP. If the Court agrees that the document should be sealed, it will file the document in the record as a sealed attachment to the appropriate Show Cause Response. A formal motion to seal need not be filed.

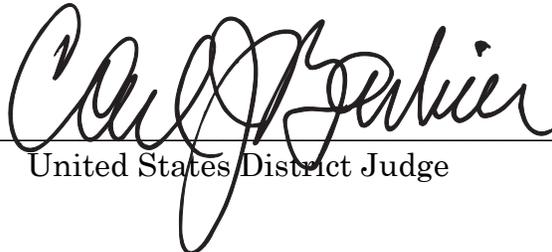
3. *Unrepresented Plaintiffs* may file their Show Cause Responses (along with any attachments) with the Court using one of three methods:
 - a. E-mail to chambers at efile-Barbier@laed.uscourts.gov
 - b. Fax to chambers at (504) 589-4536.
 - c. Mail to chambers : United States District Court
Section J (Barbier)
500 Poydras St., Rm. C256
New Orleans, LA 70130

If the plaintiff believes any part of the Show Cause Response or attachment should be filed under seal, they should clearly mark the document "TO BE FILED UNDER SEAL." A formal motion to seal need not be filed.

Unrepresented plaintiffs must also serve a copy of their Show Cause Response (and any attachments) on BP by mailing it to:

Counsel for BP
Attn: Frank Sramek
Kirkland & Ellis LLP
300 North LaSalle St., Suite 2400
Chicago, IL 60654

Signed in New Orleans, Louisiana, this 20th day of April, 2020.


United States District Judge

Note to Clerk:

Mail a copy of this Order and the attached EXHIBIT 1 to the following pro se plaintiffs:

Bruce, Shane Maddox	18-02626
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Burkett, Craig Michael	17-03681
DeBose, Jimmy Raymond	17-03675
DeBose, Karen Ann	17-03670
Evans, Robert (Engineers & Filmmakers Computer Users Group)	16-03966
Fetterhoff, Carol Lynn	17-03350
Fetterhoff, Chayton Lee	17-03350
Fetterhoff, Chelsea Lynn	17-03350
Helmholtz, Michael Benjamin	17-02932
Keyes, Ellis (Estate of Christine C. Keyes)	14-02211
Merchant, Raymond Joe	15-04290
Watson, Esther Marie	16-15259

EXHIBIT 1**Category I: Plaintiffs with Missing PTO 68 Submissions**

-Plaintiffs who purportedly failed to provide the Supplemental Medical Disclosure Form (Ex. A to PTO 68, Rec. [Doc. 26070-1](#)) and the Authorization for Release of Medical Records Information (Ex. B to First Amendment to PTO 68, Rec. [Doc. 26077-1](#)). Copies of these documents also can be found on the Court's MDL 2179 public website, <http://www.laed.uscourts.gov/OilSpill/OilSpill.htm>, by clicking on the entries for October 21, 2019 (the Supplemental Medical Disclosure Form is attached to PTO 68) and October 28, 2019 (the Authorization for Release of Medical Records Information is attached to the First Amendment to PTO 68).

	Case No.	Plaintiff	Attorney
1.	16-cv-15259	Watson, Esther Marie	N/A - Pro Se Plaintiff
2.	17-cv-03199	Louisiana Workers' Compensation Corporation	Johnson, Rahman & Thomas
3.	17-cv-03323	Benoit, Bernice Ann	Becnel Law Firm, LLC
4.	17-cv-03328	Benoit, Roy Paul	Becnel Law Firm, LLC
5.	17-cv-03331	Elrod, Jarod Shane	Becnel Law Firm, LLC
6.	17-cv-03334	Elrod, Aiden Connor	Becnel Law Firm, LLC
7.	17-cv-03366	Brown, Michael Todd	Becnel Law Firm, LLC
8.	17-cv-03368	Baldo, Lisa Marie	Becnel Law Firm, LLC
9.	17-cv-03372	Bank, Ryan Clayton	Becnel Law Firm, LLC
10.	17-cv-03373	Couture, Jr., Raymond	Becnel Law Firm, LLC
11.	17-cv-03376	Nehlig, Chris Emile	Becnel Law Firm, LLC
12.	17-cv-03381	Robin, III, Charles Raymond	Becnel Law Firm, LLC
13.	17-cv-03383	Robin, Jr., Ricky R.	Becnel Law Firm, LLC
14.	17-cv-03389	Robin, Ricky Raymond	Becnel Law Firm, LLC
15.	17-cv-03393	Coco, III, Malcolm Alphonse	Becnel Law Firm, LLC
16.	17-cv-03551	McCall, Verda Mae	Nexsen Pruet, LLC
17.	17-cv-03681	Burkett, Craig Michael	N/A - Pro Se Plaintiff
18.	17-cv-04181	Sketteno, Jr., Samuel	Nexsen Pruet, LLC
19.	17-cv-04236	Williams, Randy	Nexsen Pruet, LLC
20.	17-cv-04561	Magee, Virdee	Nexsen Pruet, LLC
21.	17-cv-04561	Magee, Whitney Burroughs	Nexsen Pruet, LLC
22.	17-cv-04561	Magee, Xavier	Nexsen Pruet, LLC

Category II: Plaintiffs with Deficient or Incomplete PTO 68 Submissions

-Further descriptions of the deficiencies noted in this table can be found starting on page 8 of this Exhibit 1.

	Case No.	Plaintiff	Attorney	Deficiency
1.	13-cv-01003	Beachem, Cedric Taiwan	Falcon Law Firm	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing; Medical Disclosure Form Question 2 Deficiencies: No Response
2.	13-cv-01802	DeAgano, Dereck Joseph	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
3.	13-cv-01802	DeAgano, Kimberly Ann Orr	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
4.	17-cv-02932	Helmholtz, Michael Benjamin	N/A - Pro Se Plaintiff	Medical Authorization: To Field Populated by Plaintiff ⁴
5.	17-cv-03019	Allen, Chavis	Nexsen Pruet, LLC	Medical Authorization: Not Provided
6.	17-cv-03044	Berry, Justin Paul	Nexsen Pruet, LLC	Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing
7.	17-cv-03134	Craig, Anthony	Nexsen Pruet, LLC	Medical Authorization: Not Provided
8.	17-cv-03152	Dobbs, Terresa	Nexsen Pruet, LLC	Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing
9.	17-cv-03195	Fleming, James	Nexsen Pruet, LLC	Medical Authorization: Not Provided

⁴ BP's status report also noted that Michael Helmholtz's PTO 68 submission was untimely. The Court excuses this deficiency because Helmholtz is pro se and his submission was provided before the status report was filed. Helmholtz need only fill out and submit a new Medical Authorization form, making certain to leave the "To" field blank, in order to be deemed compliant. (See "Category II Deficiency Descriptions, below).

10.	17-cv-03270	Hawthorne, Ayana F.	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing; Medical Authorization: Not Provided
11.	17-cv-03281	Hockaday, Jr., Edison W.	Nexsen Pruet, LLC	Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing
12.	17-cv-03285	Horne, Karem Maeola	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
13.	17-cv-03302	Jaouhari, Hilal	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
14.	17-cv-03312	Jones, Charlene	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
15.	17-cv-03315	Higginbotham, Dorothy Clayton	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Diagnosis Incomplete/Missing
16.	17-cv-03317	Landry, Cy M.	Nexsen Pruet, LLC	Medical Authorization: Not Provided
17.	17-cv-03325	Lewis, Glenda M.	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
18.	17-cv-03341	Bodiford, Thomas	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Symptoms Incomplete/Missing; Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
19.	17-cv-03344	Porter, Scott Alan	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing; Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing

20.	17-cv-03350	Fetterhoff, Carol Lynn	N/A - Pro Se Plaintiff	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Symptoms Incomplete/Missing; Date of Treatment Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing;</p> <p>Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing;</p> <p>Medical Authorization: Not Provided</p>
21.	17-cv-03350	Fetterhoff, Chayton Lee	N/A - Pro Se Plaintiff	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Symptoms Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing;</p> <p>Medical Authorization: Not Provided</p>
22.	17-cv-03350	Fetterhoff, Chelsea Lynn	N/A - Pro Se Plaintiff	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Symptoms Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing;</p> <p>Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing;</p> <p>Medical Authorization: Not Provided</p>
23.	17-cv-03407	Richardson, A'Donna	Nexsen Pruet, LLC	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing</p>
24.	17-cv-03571	Moore, III, Albert B.	Nexsen Pruet, LLC	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing</p>
25.	17-cv-03623	White, Rashawn	Nexsen Pruet, LLC	<p>Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing</p>
26.	17-cv-03640	Brimage, Iesha	Nexsen Pruet, LLC	<p>Medical Authorization: Not Provided</p>
27.	17-cv-03903	Do, Yen	Nexsen Pruet, LLC	<p>Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing</p>
28.	17-cv-03957	Edwards, Natasha Late	Nexsen Pruet, LLC	<p>Medical Authorization: Not Provided</p>

29.	17-cv-03992	Franichevich, Andrew John	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
30.	17-cv-04070	McElroy, Alexis	Nexsen Pruet, LLC	Medical Authorization: Not Provided
31.	17-cv-04155	Chapman, Jr., Tabokka M.	Nexsen Pruet, LLC	Medical Authorization: No Signature
32.	17-cv-04160	Daniel, Dana	Nexsen Pruet, LLC	Medical Authorization: Not Provided
33.	17-cv-04207	Troxler, Jr., Clifford	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
34.	17-cv-04231	Whittiker Jr., Timothy	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
35.	17-cv-04263	Sunseri, Anthony	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
36.	17-cv-04266	Timmons, Francis	Nexsen Pruet, LLC	Medical Authorization: Not Provided
37.	17-cv-04268	Tolliver, Michael	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
38.	17-cv-04296	Washington, Janel	Nexsen Pruet, LLC	Medical Authorization: Not Provided
39.	17-cv-04304	Riley, Darren	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Diagnosis Incomplete/Missing
40.	17-cv-04310	Davis, III, Luke	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing; Medical Authorization: Not Provided
41.	17-cv-04360	Houser, Bruce	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
42.	17-cv-04377	Jones, Cynthia	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
43.	17-cv-04383	Jones, Sammie	Nexsen Pruet, LLC	Medical Disclosure Form Question 2 Deficiencies: Otherwise Incomplete Response

44.	17-cv-04385	Jones, Travis	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
45.	17-cv-04395	Doom, Paul Raymond	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
46.	17-cv-04422	Manning, Anthony D.	Nexsen Pruet, LLC	Medical Authorization: Not Provided
47.	17-cv-04429	Martin, Tatasha	Nexsen Pruet, LLC	Medical Authorization: Not Provided
48.	17-cv-04437	Britney, Micheln	Nexsen Pruet, LLC	Medical Authorization: Not Provided
49.	17-cv-04475	Pejic, Nenad	Nexsen Pruet, LLC	Medical Authorization: Not Provided
50.	17-cv-04482	Pickett, George	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
51.	17-cv-04513	Roberts, Frances	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
52.	17-cv-04516	Williams, Roy L.	Nexsen Pruet, LLC	Medical Authorization: Not Provided
53.	17-cv-04542	Wellington, Jada	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
54.	17-cv-04557	Paz, Cesar	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
55.	17-cv-04566	Stallworth, Beste	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
56.	17-cv-04583	Simmons, Tony	Nexsen Pruet, LLC	Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing
57.	17-cv-04608	Thomas, Carlos	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing
58.	17-cv-04632	Williams, Angelina	Nexsen Pruet, LLC	Medical Authorization: Not Provided

59.	17-cv-04637	Zayzay, Freddie	Nexsen Pruet, LLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing
60.	19-cv-11664	Bryant, James	The Law Offices of Frank D'Amico, Jr.	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Medical Disclosure Form Question 2 Deficiencies: Yes Chosen; Additional Information Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
61.	19-cv-11666	Burke, Steven Boyce	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
62.	19-cv-11667	Burrus, John Mark	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
63.	19-cv-11668	Buskell, Baron Gates	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
64.	19-cv-11671	Clopton, Johnnie Martin	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
65.	19-cv-11686	Jenkins, Henry Lee	The Law Offices of Frank D'Amico, Jr.	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications

66.	19-cv-11691	Murray, Max Martin	The Law Offices of Frank D'Amico, Jr. APLC	Medical Authorization: To Field Populated by Plaintiff; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
67.	19-cv-11693	Richardson, Willie L.	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
68.	19-cv-11697	Southern, Nathan Sean	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications
69.	19-cv-11700	Tripp, Thomas W.	The Law Offices of Frank D'Amico, Jr. APLC	Medical Disclosure Form Question 1 Deficiencies: Date of Treatment Incomplete/Missing; Date of Diagnosis Incomplete/Missing; Doctor/Healthcare Provider Incomplete/Missing; Medical Authorization: Not Provided; Other Deficiencies: Production Inconsistent With PTO 68 Technical Specifications

Category II Deficiency Descriptions

Medical Disclosure Form Deficiencies

Deficiency Reason	Deficiency Explanation
Question 1: Date of Symptoms Incomplete/Missing	Plaintiff did not provide information identifying when symptoms of one or more of their medical conditions began.

<p>Question 1: Date of Treatment Incomplete/Missing</p>	<p>Plaintiff (i) did not provide information identifying the date they first sought treatment for one or more of their medical conditions; (ii) provided vague or broad information such as identifying only the year for which they first sought treatment for one or more of their medical conditions; or (iii) listed “n/a” or other language for <i>all</i> conditions to indicate no medical treatment but then later identified, in response to Question 2, a current treating healthcare provider.</p>
<p>Question 1: Date of Diagnosis Incomplete/Missing</p>	<p>Plaintiff (i) did not provide information identifying the date they were first diagnosed with one or more of their medical conditions; (ii) provided vague or broad information such as identifying only the year for which they were first diagnosed with one or more of their medical conditions; or (iii) listed “n/a” or other language for <i>all</i> conditions to indicate no medical treatment but then later identified, in response to Question 2, a current treating healthcare provider.</p>
<p>Question 1: Doctor/Healthcare Provider Incomplete/Missing</p>	<p>Plaintiff (i) did not provide information identifying their doctor or healthcare provider for one or more of their medical conditions; or (ii) listed “n/a” or other language for <i>all</i> conditions to indicate no medical treatment but then later identified, in response to Question 2, a current treating healthcare provider.</p>
<p>Question 2: Yes Chosen; Additional Information Missing</p>	<p>Plaintiff indicated that the medical condition and/or injury persists today, but (i) failed to indicate whether they still receive treatment and, if so, from whom; or (ii) provided information regarding from whom they receive treatment that does not sufficiently identify the provider (e.g. “regional hospitals” and “unknown”).</p>

<p>Question 2: Otherwise Incomplete Response</p>	<p>Plaintiff's response to the subparts of this question were in conflict with each other as to whether they continue to receive treatment.</p>
<p>Question 2: No Response</p>	<p>Plaintiff did not provide a response to this question.</p>

Medical Authorization Deficiencies

<p>Deficiency Reason</p>	<p>Deficiency Explanation</p>
<p>Not Provided</p>	<p>Plaintiff failed to provide the Medical Authorization.</p>
<p>No Signature</p>	<p>Plaintiff failed to sign the Medical Authorization.</p>
<p>"To" Field Populated by Plaintiff</p>	<p>Page 1 of the Medical Authorization contains a blank space for BP to fill in its agent at Kirkland & Ellis LLP's offices to whom Plaintiff's medical records should be directed if requested. Plaintiff filled this blank space in with the names of their specific healthcare providers or other language that prevents BP from utilizing the form. The space should remain blank.</p>

Other Deficiencies

Deficiency Reason	Deficiency Explanation
Production Inconsistent With PTO 68 Technical Specifications	Plaintiff's production did not comply with the technical production specifications of the First Amendment to PTO 68 (Rec. Doc. 26077). The most common reason for this deficiency is a production made by PDF alone, often without Bates branding applied.