

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

**In re: Oil Spill by the Oil Rig
“Deepwater Horizon” in the Gulf
Of Mexico, on April 20, 2010**

This Document Relates to: *All Cases*

**(Including Civil Actions Nos. 12-970,
15-4143, 15-4146, & 15-4654)**

MDL No. 2179

SECTION: J

JUDGE BARBIER

MAG. JUDGE WILKINSON

**ORDER CLARIFYING PRIOR ORDERS ESTABLISHING
QUALIFIED SETTLEMENT FUNDS**

CONSIDERING this Court’s prior Orders establishing: (1) a Common Benefit Fee and Cost Fund pursuant to the Economic and Property Damages and the Medical Benefits Class Action Settlement Agreements (“Common Benefit Fund”) (Rec. Doc. 6532); (2) a Settlement Fund Pursuant to HESI Punitive Damages and Assigned Claims Settlement Agreement (“HESI Settlement Fund”) (Rec. Doc. 13649); (3) a Settlement Fund Pursuant to Transocean Punitive Damages and Assigned Claims Settlement Agreement (“Transocean Settlement Fund”) (Rec. Doc. 14906); and, (4) a Court-Supervised Qualified Settlement Fund be established in the registry of the Court to receive and invest funds paid by BP pursuant to the Court’s Order [Regarding Payment of the Gulf States’ Attorneys’ Fees and Costs] (Rec. Doc. 15441), this Court hereby clarifies these prior orders by expressly authorizing the Escrow Agents or Administrators of these funds to take actions to facilitate distribution of any payments that may be disbursed under subsequent court orders.

Accordingly, the Court hereby **ORDERS**:

1. That the Escrow Agents or Administrators of the Common Benefit Fund, the Attorneys' Fee Accounts established as sub-funds of the HESI Settlement Fund and the Transocean Settlement Fund, and the Court-Supervised Qualified Settlement Fund to be established in the registry of the Court to receive and invest funds paid by BP pursuant to the Court's Order [Regarding Payment of the Gulf States' Attorneys' Fees and Costs] (collectively, the "Common Benefit Funds" or "Funds") are expressly authorized and empowered to distribute any common benefit attorneys' fees or costs paid from the Funds ("Common Benefit Fees") awarded pursuant to orders of this Court and to take such other action and execute and deliver, in the name and on behalf of the Funds for which they have responsibilities, such agreements, certificates, instruments and other documents as may be reasonably requested by counsel to effect the qualified or non-qualified assignment or the structured payment of all or any portion of such Common Benefit Fees.

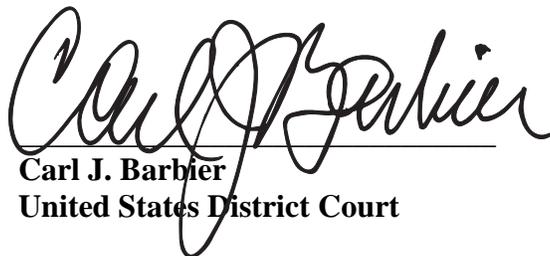
2. That distribution of fees and costs to counsel (or counsel's assignees) shall discharge the Common Benefit Funds from liability for the payment of such fees and costs, and neither the Funds nor their Escrow Agents or Administrators shall have any liability for any tax or other consequences resulting from the distribution of fees in the manner requested by counsel that is intended to effect the qualified or non-qualified assignment or the structured payment of such Common Benefit Fees.

3. That until such time as counsel is entitled to fees and litigation expenses pursuant to an order of this Court, none of the assets held by the Common Benefit Funds shall be set aside for or otherwise made available to counsel in any manner that would allow counsel to draw upon or otherwise control said fees and litigation expenses.

4. That notwithstanding the provisions of this Order, all procedures, conditions and requirements of the Settlement Agreements remain in full force and effect and are unchanged by this Order.

IT IS SO ORDERED.

New Orleans, Louisiana this 25th day of May, 2017.



Carl J. Barbier
United States District Court