

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

In re: Oil Spill by the Oil Rig	*	MDL No. 2179
“Deepwater Horizon” in the Gulf	*	
of Mexico, on April 20, 2010	*	SECTION J
	*	
	*	JUDGE BARBIER
Applies to: All Cases (including C.A. 12-970)	*	
	*	MAGISTRATE SHUSHAN

ORDER

**[REGARDING PRODUCTION AND CONFIDENTIALITY
OF INFORMATION FROM FEDERAL PERMITS DATABASES AND INDIVIDUAL
FISHING QUOTA DATA]**

The Court having been advised and finding as follows:

1. An Order was entered on April 19, 2016 [Rec. Doc. 16271], granting the Deepwater Horizon Economic & Property Damages Settlement (DHEPDS) Claims Administrator and the Halliburton Energy Services, Inc. (HESI)/Transocean, Ltd. (Transocean) Claims Administrator approval to share data between the settlement programs, including third-party databases that had been provided to the DHEPDS Claims Administrator and Court Supervised Settlement Program (CSSP).

2. Recently, the HESI/Transocean Claims Administrator contacted the National Oceanic and Atmospheric Administration Fisheries (“NOAA”) regarding access to the information in its databases of certain federal permits issued during the period January 1, 2009 and December 31, 2011, previously provided to the CSSP pursuant to an Order of this Court dated January 25, 2016 [Rec. Doc. 15785] and certain and Individual Fishing Quota data for the period of January 1, 2010, to December 31, 2010, previously provided to the Freeh Group pursuant to an Order of Court dated June 2, 2014 [Rec. Doc 12968].

Permit data previously provided consists of: (1) permit type, including all Gulf of Mexico vessel permits and Highly Migratory Species permits; (2) permit holder information, including first and last name of the permit holders or if the permit holder is a business, the business name and first and last names of the business principles, the addresses, dates of birth, and last four digits of social security numbers of permit holders and principles, and the last four digits of business tax identification numbers; and (3) the effective date, expiration date, end date, and statuses of these permits, all for the period January 1, 2009 – December 31, 2011 (collectively, the “Permit Databases”).

IFQ data previously provided consists of: (1) NOAA IFQ Allocations data including: Transferee Name and Contact Information, Share Category, Transfer Date, Pounds, Price per Pound, and Total Price; as well as (2) NOAA IFQ Shares data including: Transferee Name and Contact Information, Share Category, Transfer Date, Shares, Total Price, and Quota at Transfer Date.

3. Access to the information in the Permit Databases and IFQ data kept by NOAA would be of similar assistance in the claims review process for the HESI/Transocean settlements as it was in the CSSP. Counsel for the NOAA informed the HESI/Transocean Claims Administrator that pursuant to 15 C.F.R. §15, which regulates the production of documents in a legal proceeding by U.S. Department of Commerce bureaus such as NOAA, the contents of the Permit Databases and IFQ data are confidential and are not subject to disclosure pursuant to a subpoena. NOAA will, however, release the Permit Databases pursuant to court order.

4. Therefore, with the consent of the NOAA, the HESI/Transocean Claims Administrator has requested this Court to issue this Order expanding the previously granted authorization that directed NOAA to produce the Permit Databases and IFQ data to enhance the

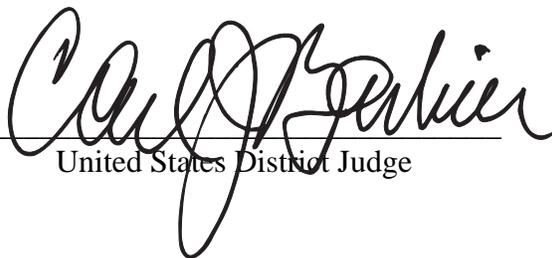
efficiency and effectiveness of the processing of claims filed with the CSSP to include further dissemination to the HESI/Transocean Claims Administrator as anticipated in the Court's Order of April 19, 2016 [Rec. Doc 16271];

Accordingly, in the implementation and exercise of its continuing jurisdiction over the CSSP and HESI/Transocean settlements and under its inherent authority, it is

ORDERED that data previously provided by the Southeast Regional Office of the National Oceanic and Atmospheric Administration Fisheries to the DHEPDS Claims Administrator, the Permit Databases and IFQ data formerly restricted to DHEPDS Claims Administrator and CSSP use only, shall be made available by the DHEPDS Claims Administrator/CSSP to the HESI/Transocean Claims Administrator, his staff, and vendors and it is further

ORDERED that the HESI/Transocean Claims Administrator, his staff, and vendors shall maintain all information received as Confidential Claims Information pursuant to this Court's Orders of June 29, 2012 and April 19, 2016 [Rec. Docs. 6822 and 16271].

Signed in New Orleans, Louisiana, this 19th day of July 2016.


United States District Judge