

**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**

This Document Applies To:
All Cases

* MDL 2179
*
* SECTION “J”
*
* JUDGE BARBIER
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* MAG. JUDGE SHUSHAN

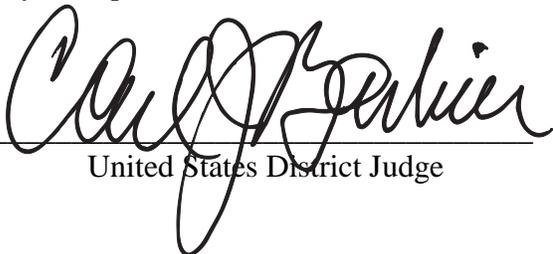
ORDER REGARDING PRETRIAL CONFERENCE

In conjunction with the Pretrial Conference for the Phase Two trial scheduled for September 11, 2013, the Court hereby ORDERS:

- That the Pretrial Conference shall not be open to the public or press.
- That the time of the Pretrial Conference is changed from 2:00 to 3:00 p.m.

Attached to this Order is a Tentative Agenda for the Pretrial Conference.

Signed in New Orleans, Louisiana, this 10th day of September, 2013.


United States District Judge

**TENTATIVE AGENDA
PRETRIAL CONFERENCE (9/11/13 @ 3:00 p.m.)
MDL 2179-PHASE TWO**

- I. Trial Schedule**
 - A. Trial Days
 - B. Allocation of Time/Use of “Chess Clock”
- II. Marshalling of Exhibits**
- III. Exhibit and Witness Lists**
- IV. Demonstrative Exhibits**
- V. Advance Notice of Witnesses**
- VI. Courtroom Seating**
- VII. Opening Statements**
- VIII. Examination of Witnesses**
- IX. Witnesses Called by Deposition**
- X. Expert Witness Examination**
- XI. Motions in Limine (MIL)**
 - A. Anadarko’s MIL to Exclude All Evidence & Argument Re: Anadarko’s Culpability or Fault (Doc. 10826)
 - B. BP’s MIL to Exclude “Other Phases” Evidence (Doc. 11026)
 - C. BP’s MIL to Exclude Instances of Prior Alleged Improper Conduct (Doc. 11027)
 - D. BP’s MIL to Exclude Non-Factual Testimony by Fact Witnesses (Doc. 11038)
 - E. BP’s MIL to Bar Fact or Opinion Testimony on Issues of Law (Doc. 11039)
 - F. BP’s MIL to Exclude Certain Evidence Related to Criminal Proceedings (Doc. 11043)
 - G. BP’s MIL to Exclude Other Government Reports and Privileged Communications Related to the Scope of BP’s Internal Investigation (Doc. 11044)
 - H. BP’s MIL to Exclude Evidence Related to the SEC Settlement & EPA Suspension from Phase 2 (Rec. Doc. 11046)
- XII. Daubert Motions**
- XIII. Appeals from Magistrate Judge Orders**
 - A. Halliburton’s Appeal from Order excluding it from participating in Phase Two-Quantification proceedings, etc. (Doc. 11025)

- B. Transocean's Appeal from Order excluding it from participating in Phase Two-Quantification proceedings (Doc. 11053)

XIV. Courthouse Space

XV. Confidentiality of Materials Prior to and During Trial

XVI. Court Reporter Requests

XVII. Objections/Offers of Proof

- A. Timing and Procedure for Objections to Phase Two Trial Procedure (Source Control and Quantification)
- B. Timing and Procedure for Offers of Proof (Source Control and Quantification)
- C. Objections Regarding Overlapping Evidence Between Source Control and Quantification by Non-Participating Parties

XVIII. Qualifying Experts Who Testified in Phase One