

**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 NO. 2179

SECTION J

Applies to: 10-4536

**JUDGE BARBIER
MAGISTRATE JUDGE SHUSHAN**

ORDER

**[Governing Access to Trial and Trial Materials
by Press and Public During the Penalty Phase Trial]**

In connection with the trial of the Penalty Phase commencing on January 20, 2015, the Court orders as follows:

1. The first and second rows on the right side of the courtroom (as you enter) will be reserved for press seating. All other press will have to be in the overflow courtroom. Access to reserved press seating and all other seating in Judge Barbier's courtroom is on a first come basis. The courthouse opens at 7:00 a.m.
2. There is not a daily pass system for the press to gain access to the courthouse. A valid press credential/I.D. will allow the press to access the courtroom's limited seating. Standing in the back of the courtroom will not be allowed.
3. An overflow court is available for the press and public in the courthouse building, Room C-311. Live audio feed and evidence presentation screens will be available in this courtroom.
4. The press may access the internet through their own means. They may also subscribe to the wireless connection provided by Courtroom Connect: Contact Stanley Goldberg, 877-838-9067, ext. 301; sgoldberg@courtroomconnect.com.

5. The press may have access to a "real time" transcript by making arrangements with Courtroom Connect and with the court reporters through Rebecca Gonzalez, 504-589-7724, rebecca_gonzalez@laed.uscourts.gov. Use of real time transcripts will be allowed only after the user files with the Court an acknowledgment that: 1) the transcript will not be transmitted or distributed in any form, written or electronic, outside of the Court; and 2) the real time transcript is not the official or final court transcript and therefore may not be relied upon as such.
6. The press may subscribe to daily final certified transcripts by contacting Ms. Gonzalez. Final transcripts are the official record and may be transmitted and distributed outside of the Court.
7. **The broadcast or recording of any portion of the trial (by video, audio, real time transcript or otherwise) is strictly prohibited. Violation of this prohibition will result in sanctions.**
8. Trial will take place regularly Monday through Thursday from 8:00 a.m. until 6:00 p.m. If Monday is a federal holiday, trial may proceed on that day or on Tuesday through Friday as the Court decides.
9. The press and public may bring cell phones into the courtroom under the following conditions:
 - a. They are placed on silent mode;
 - b. The user steps into the hall to speak.

10. Use of laptops, i-Pads, etc. is allowed under the following conditions:
 - a. Silence;
 - b. Not disruptive or distracting;
11. Deposition transcripts of witnesses who will not be appearing in person at trial will be proffered for the record. Portions of video depositions may be proffered for the record if played at trial.
12. The Court will have the parties arrange to have transcripts, depositions, expert reports and exhibits made available to the press and public on a weekly basis through a public FTP site (www.mdl2179trialdocs.com) as follows:

Expert Reports. For experts testifying at trial, the report and resume of the expert will be posted to the site after the Court accepts the qualifications of the witness and permits the witness to offer expert testimony.

Depositions. Each party will proffer all fact witness depositions to be introduced during its case in chief at the marshaling conferences to be conducted every Thursday afternoon during trial. The depositions will be made public following the marshaling conference.

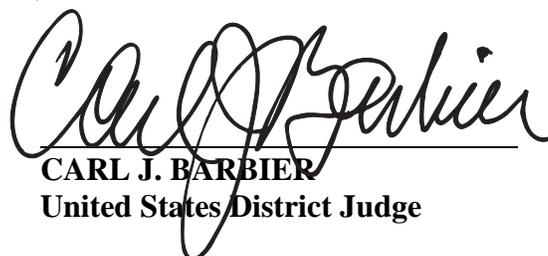
Exhibits. Those exhibits admitted into evidence by the Court during the course of each week will be posted to the FTP site following the marshaling conference. That will include demonstrative exhibits which Judge Barbier has admitted into evidence.

Transcripts. Certified trial transcripts will be posted to the FTP site on a regular and ongoing basis. The public and press are reminded that the FTP site is the only means by which trial materials will be made public. Inquiries about trial materials should not be directed to any court staff. The public and press are reminded that these materials are

being made available to them as an accommodation and that this procedure does not normally occur in trial proceedings.

All parties to the Penalty Phase as well as the PSC shall assist the United States, as needed, in making materials available through the FTP site.

New Orleans, Louisiana, this 25th day of November, 2014.



CARL J. BARBIER
United States District Judge