

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

In re: Oil Spill by the Oil Rig	*	MDL 2179
“Deepwater Horizon” in the Gulf	*	
of Mexico, on April 20, 2010	*	SECTION “J”
	*	
This Document Applies To:	*	JUDGE BARBIER
	*	
No. 12-970	*	MAG. JUDGE SHUSHAN

ORDER
[Amending Preliminary Injunction Related to BEL Claims]

On October 18, 2013, following remand in Fifth Circuit case no. 13-30315 (the BEL appeal), this Court issued a preliminary injunction staying the payment of those BEL claims where the matching of expenses and revenues is an issue, but otherwise allowing the processing and payment of other BEL claims that are supported by properly matched accrual-basis accounting records. [Rec. Doc. 11697] On November 5, 2013, this Court amended and clarified the injunction with respect to the settlement program’s appeal process. [Rec. Doc. 11790]

On December 2, 2013, the panel of the Fifth Circuit found that this Court "erred by not considering [BP's] arguments on causation." The panel remanded the issue of causation and ordered this Court to "craft[] '[a] stay tailored so that those who experienced actual injury traceable to loss from the Deepwater Horizon accident continue to receive recovery but those who did not do not receive their payments until this case is fully heard and decided through the judicial process,' including by any other panel of this court that resolves these issues."¹

Accordingly,

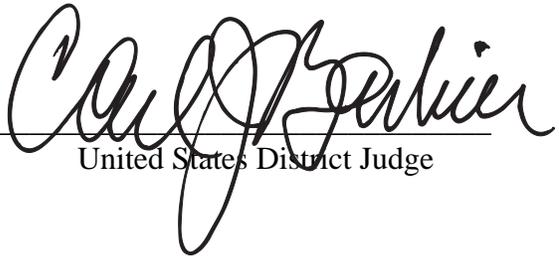
¹December 2, 2013, slip op. at p.3

IT IS ORDERED that the Preliminary Injunction issued on October 18, 2013 [Rec. Doc. 11697], and amended on November 5, 2013 [Rec. Doc. 11790], is further amended as follows:

The Claims Administrator may continue to accept BEL claims and process said claims, but shall temporarily suspend the issuance of final determination notices and payments of BEL claims, pending resolution of the BEL issues that are the subject of the pending remand. This suspension shall also apply to claims currently in the claims appeal process.

Except as provided in this Order, the provisions of the Preliminary Injunction issued on October 18, 2013, and amended on November 5, 2013, remain in full force and effect unless and until modified by this Court.

New Orleans, Louisiana, this 5th day of December, 2013.


United States District Judge